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URBAN PLANNING



## DEVELOPMENT APPLICATION

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Development Permit – Reconfiguring a Lot

# 2 into 2 Lot Boundary Realignment

1401 Pierces Creek Road, Pierces Creek

PLANNING REPORT

MAY 2026

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**Prepared For:** Darran Hutchings

**Project Name:** 2 into 2 Lot Boundary  
Realignment

**Project Reference:** 2026-026

**Date:** 21 May 2026

**Prepared By:**

Bayley Moore  
Planner

**Approved By:**

Paul Kelly  
Senior Associate

### Document History

Version	Date	Description of Revision	Prepared By	Reviewed By
Draft	1/05/2026	Draft for Peer Review	BM	BM
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Final	21/05/2026	Lodgement with Council	BM	PK

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## EXECUTIVE SUMMARY

### SITE DETAILS

<b>Address of Site</b>	1401 Pierces Creek Road, Pierces Creek
<b>Real Property Description</b>	Lots 8 and 9 RP861104
<b>Area of Site</b>	101.22 ha
<b>Road Frontage</b>	Pierces Creek Road
<b>Easements</b>	Nil
<b>Registered Owners</b>	Naomi Rashelle Hutchings Darran Gregory Hutchings

### PLANNING INSTRUMENTS

<b>Regional Plan</b>	Darling Downs Regional Plan
<b>Regional Plan Designation</b>	Priority Agricultural Area
<b>Planning Scheme</b>	<i>Toowoomba Regional Planning Scheme 2012</i>
<b>Zone</b>	Rural Zone
<b>Zone Precinct</b>	100ha Precinct
<b>Overlays</b>	<ul style="list-style-type: none"> <li>• Environmental Significance Overlay</li> <li>• Bushfire Hazard Overlay</li> <li>• Agricultural Land Overlay</li> <li>• Landslide Hazard Overlay</li> <li>• Flood Hazard Overlay</li> </ul>
<b>Vegetation</b>	<ul style="list-style-type: none"> <li>• Category B</li> <li>• Category C</li> </ul>
<b>Current Approvals</b>	Nil

### APPLICATION OVERVIEW

<b>Application</b>	Development Application
<b>Approval Sought</b>	Development Permit
<b>Development Type</b>	Reconfiguring a Lot

<b>Development Description</b>	2 into 2 Lot Boundary Realignment
<b>Level of Assessment</b>	Impact Assessable
<b>Relevant Referral/Technical Agencies</b>	<ul style="list-style-type: none"> <li>Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development</li> </ul>

### PROPOSED DEVELOPMENT

<b>Lot Sizes</b>	Proposed Lot 8: 97.29 ha Proposed Lot 9: 3.93 ha
<b>Vehicular Access</b>	Pierces Creek Road
<b>Open Space Provisions</b>	Nil

### APPLICANT DETAILS

<b>Applicant</b>	Darran Hutchings c/- Precinct Urban Planning PO Box 3038 <b>TOOWOOMBA QLD 4350</b>
<b>Contact Person</b>	<b>Bayley Moore</b> <b>Phone:</b> 07 4632 2535 <b>Mobile:</b> 0490 711 409 <b>Email:</b> <a href="mailto:bayley@precinctplan.com.au">bayley@precinctplan.com.au</a>
<b>Our Reference</b>	2026-026

## 1.0 INTRODUCTION

This report has been prepared in support of a Development Application for a Development Permit for Reconfiguring a Lot for a 2 into 2 Lot Boundary Realignment on land at 1401 Pierces Creek Road, Pierces Creek, described as Lots 8 and 9 RP861104 (**the site**). The proposed development involves rearranging the boundaries of a lot and accordingly comprises Reconfiguring a Lot under Schedule 2 of the Planning Act 2016 (**the Act**).

This town planning report addresses the merits of the development having regard to the provisions of the *Planning Act 2016* and the *Toowoomba Regional Planning Scheme 2012*. This planning report has been prepared on behalf of the applicant, Darran Hutchings.

This Development Application for a Development Permit for Reconfiguring a Lot is Impact Assessable development under the *Toowoomba Regional Planning Scheme 2012*. The following report demonstrates the suitability of the proposal within the locality and its compliance with the relevant provisions of the *Toowoomba Regional Planning Scheme 2012*.

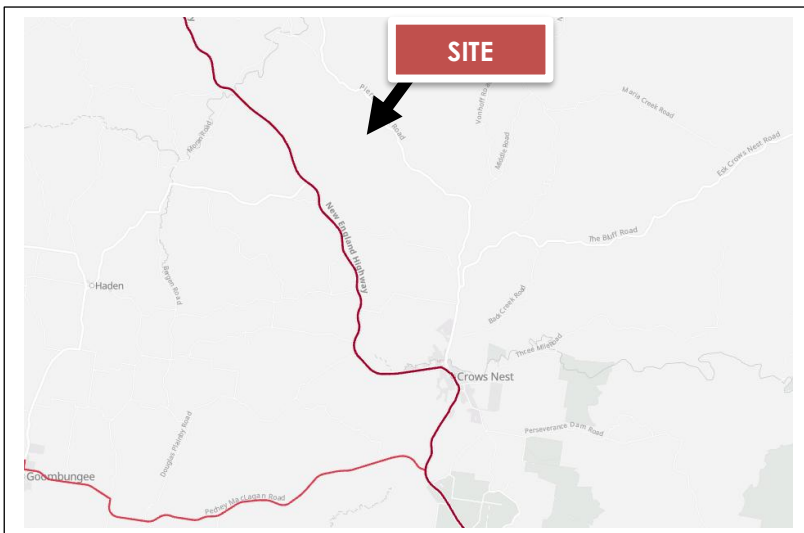
## 2.0 SITE AND LOCALITY

### 2.1 SITE

The site is located at 1401 Pierces Creek Road, Pierces Creek, described as Lots 8 and 9 RP861104 (**the site**). The site is located within the locality of Pierces Creek and is approximately 11.7km north of the Crows Nest Town Centre. The location of the site in respect of the surrounding locality is illustrated in **Figure 1**.

The site is of irregular configuration comprising two (2) separate but contiguous titles with a total site area of 101.22 ha. The site has sole frontage to Pierces Creek Road. The configuration of the site is illustrated in **Figure 2**.

**FIGURE 1 - LOCALITY PLAN**



**FIGURE 2 - CADASTRAL PLAN**



Improvements on the site include a Dwelling House and ancillary rural structures. The features of the site and surrounding land uses are illustrated in **Figure 3**.

**FIGURE 3 - AERIAL IMAGERY**

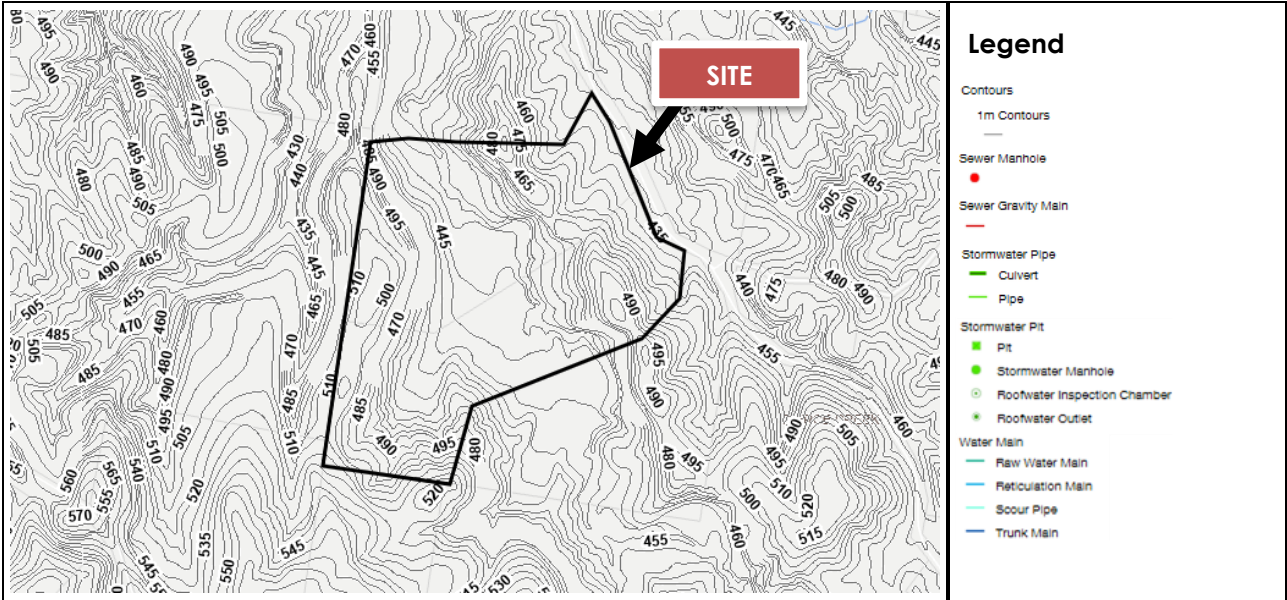


## 2.2 SITE CHARACTERISTICS

The site is characterised by the following features:

- The site has sole frontage to Pierces Creek Road which comprises a two-lane bitumen sealed carriageway with grass drainage swales. Pierces Creek Road is identified a Distributor Road on Council's Road Hierarchy.
- Lands in the locality drain in both a northerly direction towards Pierce Creek with the site draining to a tributary of Pierce Creek located in the centre of the site. Pierce Creek is located approximately 414m north of the site and comprises the areas primary drainage feature.
- The site experiences undulating topography between the eastern and western boundaries. The highest point of the site is located towards the western boundary of the site at 510m AHD with the lowest point of the site located centrally at 430m AHD. This translates to a maximum change in elevation of 80m across the site.
- The site contains mapped areas of remnant vegetation with concentrations primarily adjacent the eastern and western sides of the site.
- The site is not burdened by, nor does it benefit from any existing easements.
- The site is serviced by on-site water supply and effluent disposal infrastructure and reticulated electricity and telecommunications supply networks.

**FIGURE 4 - CONTOUR AND INFRASTRUCTURE MAPPING**



**Figure 4** confirms that the site experiences a decline in land elevation throughout the site. The figure also confirms that the site is not serviced by Council's reticulated infrastructure networks.

The features of the site are illustrated in **Photograph 1**.



**PHOTOGRAPH 1** - View of Proposed Lot 9 site from within the site.

## 2.3 SURROUNDING LAND USE

### 2.3.1 SURROUNDING LOCALITY

The site is situated in a locality that is characterised by rural land uses. The scale and character of the built form in the locality is of a predominately rural character; refer to the aerial view in **Figure 3**.

### 2.3.2 ADJOINING PROPERTIES

The nature and character of land use on surrounding properties may be summarised as follows:

- Land to the **north** of the site, located at 1461 Pierces Creek Road, comprises a rural premises containing a Dwelling House and ancillary rural structures.
- Lands to the **south** of the site, located at 1331 Pierces Creek Road and 181 Tigell Road comprise rural premises, containing Dwelling Houses and ancillary rural structures.
- Land to the **east** of the site, located at 1446 Pierces Creek Road, comprises a rural premises, containing a Dwelling House and ancillary rural structures.
- Land to the **west** of the site comprises a vacant rural premises.

## **2.4 CURRENT DEVELOPMENT APPROVALS**

The site does not currently benefit for any existing Development Permits as publicly available on Council's website.

## 3.0 PROPOSAL

This Development Application seeks approval for a Development Permit for Reconfiguring a Lot - 2 into 2 Lot Boundary Realignment on land at 1401 Pierces Creek Road, Pierces Creek, described as Lots 8 and 9 RP 861104. The proposal seeks to realign the common boundaries of lots to improve rural capacity of the land and ensure that the rear of the site is accessible.

### 3.1 SITE LAYOUT

The site currently consists of two allotments with areas of 48.65 hectares (Lot 8 RP861104) and 52.56 hectares (Lot 9 RP861104). Lot 8 is currently improved with a dwelling and ancillary rural structures and has direct access to Pierces Creek Road. The central portion of the allotment consists of grazing land for livestock. Lot 9 is currently vacant and has frontage to Pierces Creek Road, however, does not have a direct access to this road and has historically, utilised Lot 8 for access. The central portion of the allotment also consists of grazing land for livestock.

Under the current configuration, the central portion of Lot 9 is not directly accessible without requiring access through Lot 8 as a result of the ridgeline that runs between the northern and southern boundaries of the site; refer to **Figure 4**. Conversely, the rear of Lot 8 is inaccessible without taking access through Lot 9.

The proposed development seeks to realign the common boundaries of the lots to increase the site area of Lot 8 and reduce the site area of Lot 9. The location of the realigned boundaries has been designed to respond to the physical constraints of the site, particularly, with respect to the existing fencing and the topography of the site which affects access to the central and rear positions of the site that is not otherwise achieved without relying on other allotments. In this regard, the previously inaccessible areas of Lot 9 will be included within Lot 8 which subsequently, makes the previously inaccessible rear portion of Lot 8 accessible without relying on adjoining allotments.

In addition, the realignment will also result in the area of Lot 9 currently used for grazing purposes to be included within Lot 8 and as such, enhances the overall productive capacity of the land by consolidating land used for rural purposes into a single, larger land holding.

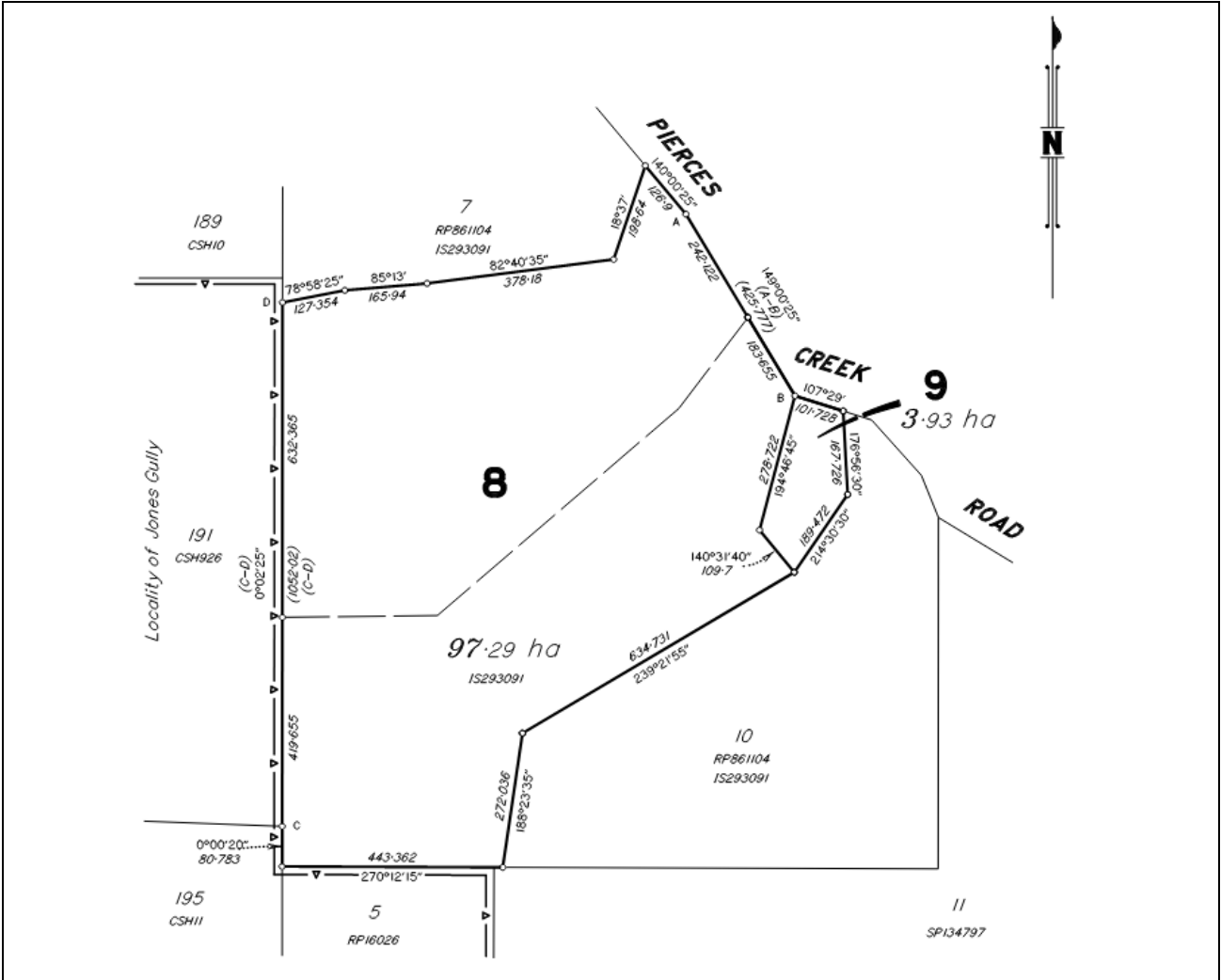
Proposed Lot 8 will have a site area of 97.29 hectares (increased from 48.65 hectares) and Proposed Lot 9 will have a site area of 3.93 hectares (reduced from 52.57 hectares).

The proposed lot layout will be generally in accordance with Proposed Lot 8 & 9, Drawing PROP-D419-D5, prepared by Define Group, dated 22 January 2025 attached at **Appendix C** and reproduced as **Figure 5** below.

The proposed layout has been designed to ensure that future development within Proposed Lot 9 is not exposed to unreasonable Bushfire Risk. In this regard, reference is made to the Bushfire Management Plan attached at **Appendix D** which illustrates a development envelope within Proposed Lot 9.

In addition, the proposed layout ensures that clearing of vegetation throughout the site is minimised where possible and avoids potential impacts on fauna. Reference is made to the Ecological Assessment Report attached at **Appendix E**.

FIGURE 5 - PROPOSED SITE PLAN



### 3.2 INFRASTRUCTURE, SERVICING AND ACCESS

Lot 8 is currently serviced by onsite water supply infrastructure in addition to wastewater infrastructure. It is proposed that Proposed Lot 8 will retain these connections. Lot 9 will be provided with onsite water supply and wastewater infrastructure as part of future development. Both lots will be connected to electricity and telecommunications infrastructure.

Proposed Lot 8 will retain the sites existing access to Pierces Creek Road whilst Proposed Lot 9 will be provided with a new access as part of future development.

## 4.0 PLANNING FRAMEWORK

### 4.1 THE PLANNING ACT 2016

The purpose of the *Planning Act 2016* (PA) is to establish an efficient, effective, transparent, integrated, coordinated, and accountable system of land use planning (planning), development assessment and related matters that facilitates the achievement of ecological sustainability.

The proposed development involves rearranging the boundaries of a lot and accordingly comprises Reconfiguring a Lot under Schedule 2 of the *Planning Act 2016 (the Act)*. A Development Permit for Reconfiguring a Lot must be obtained prior to the endorsement and registration of the plan of survey. Assessment against the *Toowoomba Regional Planning Scheme 2012* indicates that this development application is Impact Assessable in accordance with Section 45(5) of the Act.

### 4.2 STATE PLANNING POLICY

Pursuant to the provisions of section 45(5) of the *Planning Act 2016*, the Assessment Manager, in considering an Impact Assessable Development Application, must assess the application in respect of the State Planning Policy.

The *State Planning Policy July 2017 (SPP)* commenced on 3 July 2017 and replaces *State Planning Policy April 2016*. The SPP expresses the state's interests in land use planning and development and promotes these interests through plan making and development decisions of state and local government. The SPP applies, to the extent relevant, when:

- making or amending a local planning instrument;
- designating premises for infrastructure;
- making or amending a regional plan;
- development assessment by local government, if its planning scheme has not yet appropriately integrated the relevant SPP state interests policies; and
- an assessment manager or referral agency other than local government is assessing a development application.

The SPP addresses seventeen (17) state interests categorised under the following themes:

- (i) Liveable communities and housing.
- (ii) Economic growth.
- (iii) Environment and heritage.
- (iv) Safety and Resilience to Hazards.
- (v) Infrastructure.

A state interest is defined under Schedule 2 of the *Planning Act 2016 (the Act)*:

- (a) an interest that the Minister considers affects an economic or environmental interest of the State or a part of the State; or
- (b) an interest that the Minister considers affects the interest of ensuring this Act's purpose is achieved.

The proposed development has been assessed against the state interests included under *Part E: State Interest Policies and Assessment Benchmarks* of the SPP as follows:

#### 4.2.1 STATE INTEREST POLICIES AND ASSESSMENT BENCHMARKS

Part E of the SPP contains state interest policies and where relevant, the assessment benchmarks for each state interest. The assessment benchmarks for each relevant state interest are listed below. For each of these state interests, Part E of the SPP advises when the assessment benchmarks apply and if so, what matters the application must be assessed against, to the extent the SPP has not been identified in a local planning instrument as being appropriately integrated.

Part 2 of the *Toowoomba Regional Planning Scheme 2012* identifies the State interests under the State Planning Policy that have been integrated into the Planning Scheme. In this instance, the *Toowoomba Regional Planning Scheme 2012* confirms that some of the State interests relevant to the Toowoomba Regional Council region have been appropriately incorporated into the Planning Scheme.

The Planning Scheme incorporates the following State interests:

- Safety and Resilience to Hazards (where it relates to flood hazards)

Accordingly, where the proposed development achieves compliance with the assessment benchmarks of the Planning Scheme, the development is considered to comply with the provisions of the State Planning Policy as it relates to the above State interests. The development is therefore also required to be assessed against the assessment benchmarks under the State Planning Policy for the relevant State interests not integrated into the Planning Scheme. An assessment of each of the relevant State interests is provided below.

##### 1. Liveable Communities

These provisions apply to a development application in an urban area involving premises that is, or will be, accessed by common private title, for a material change of use or reconfiguring a lot where the application involves buildings (attached or detached) that are not covered by other legislation or planning provisions mandating fire hydrants.

Where these circumstances apply, the development:

- (i) ensures fire hydrants are installed and located to enable fire services to access water safely, effectively and efficiently;
- (ii) road widths, and construction within the development, are adequate for fire emergency vehicles to gain access to a safe working area close to buildings and near water supplies whether or not on-street parking spaces are occupied; and
- (iii) fire hydrants are suitably identified so that fire services can locate them at all hours.

In this instance, the proposed development does not involve any of the above circumstances, and accordingly, these provisions are not relevant to the assessment of this application.

##### 2. Mining and Extractive Resources

These provisions relate to the following developments:

- (1) Reconfiguring a Lot within a Key Resource Area (**KRA**);
- (2) A Material Change of Use within the resource/processing area of a KRA or the separation area for the resource/processing area of a KRA; or
- (3) A Material Change of Use within the transport route separation area of a KRA that will result in an increase in the number of people working or residing in the transport route separation area.

In this instance, the proposed development does not involve any of the above circumstances, and accordingly, these provisions are not relevant to the assessment of this application.

### 3. Water Quality

These provisions relate to the following matters of state interest:

- (1) Receiving waters - including development applications for:
  - (a) a material change of use for urban purposes that involves a land area of 2,500m<sup>2</sup> or greater that will result in:
    - (i) an impervious area greater than 25% of the net developable area; or
    - (ii) six or more dwellings; or
  - (b) reconfiguring a lot for urban purposes that involves a land area 2,500m<sup>2</sup> or greater and will result in six or more lots; or
  - (c) operational works for urban purposes that disturb 2,500m<sup>2</sup> or greater of land area.
- (2) For water supply buffer areas – a development application located wholly outside an urban area and relating to premises that is within, or partly within, a water supply buffer area, that involves: (i) material change of use activities listed in Part E of the SPP, or (ii) reconfiguring a lot to create five or more additional lots where one or more lots are less than 16ha and any of the created lots rely on on-site wastewater treatment.

In this instance the proposed development involves a Reconfiguring a Lot on land with an area greater than 2,500m<sup>2</sup> and does not involve the creation of six (6) or more lots intended for urban purposes. Accordingly, the assessment provisions for this State interest are not relevant to the assessment of this application.

### 4. Natural Hazards, Risk and Resilience

These provisions relate to development applications for a material change of use, reconfiguring a lot or operational work on land within:

- (i) a flood hazard area;
- (ii) a bushfire hazard area;
- (iii) a landslide hazard area,
- (iv) storm tide inundation areas; and
- (v) erosion prone area.

In this instance, the site is identified as being impacted by natural hazards. In particular, the site is impacted by Flood Hazard Area – Local Government Flood Mapping Area and Bushfire Prone area – Medium, High and Very High Potential Bushfire Intensity and Potential Impact Buffer Areas under the State Planning Policy mapping. Section 2 of the *Toowoomba Regional Planning Scheme 2012* confirms that matters associated with this State interest, as it relates to flood hazards are appropriately integrated into the Planning Scheme. In this instance, the subject site is located impacted by the Flood Hazard Overlay. Assessment against the Flood Hazard Overlay Code has been completed at **Appendix B** and confirms the proposed development complies with the outcomes sought under this code. Accordingly, the proposed development is not considered to be impacted by flood risk. An assessment of the applicable assessment benchmarks for this State interest as it relates to bushfire hazard is provided within the Bushfire Management Report attached at **Appendix D**. This assessment confirms that the proposed development will not adversely affect matters associated with this State interest.

### 5. Strategic Airports and Aviation Facilities

These provisions relate to development applications that involve land located within a local government area that contains/impacted by a strategic airport identified in the SPP Part E, Table 2,

or an aviation facility identified in Appendix 2 of the *strategic airports and aviation facilities guidance material* and involve:

- (i) a material change of use of premises that will result in work encroaching into the operational airspace of a strategic airport, or on land within the light restriction zone, lighting area buffer or the wildlife hazard buffer zone of a strategic airport, or results in work encroaching into the building restricted area of an aviation facility; or
- (ii) a material change of use or reconfiguring a lot where any part of the land is within the 20ANEF contour or greater, or the public safety area of a strategic airport; or
- (iii) building work not associated with a material change of use that will result in work intruding into the operational airspace of a strategic airport, or where any part of the premises is within the light restriction zone of lighting area buffer of a strategic airport, or results in work encroaching into the building restricted area of an aviation facility; or
- (iv) operational work not associated with a material change of use where any work or associated activity will intrude into the operational airspace of a strategic airport, or where any part of the premises is within the light restriction zone of lighting area buffer of a strategic airport, or results in work encroaching into the building restricted area of an aviation facility.

Where these circumstances apply, the development application is assessed against the strategic airports and aviation facilities assessment benchmarks listed under the SPP.

In this instance, the site is not impacted by a Strategic Airport. Accordingly, the assessment provisions for this State interest are not relevant to the assessment of this application.

The proposal has been assessed to comply with all applicable matters of state interest included in the State Planning Policy.

### 4.3 STATE REFERRAL AGENCIES

Section 54 of the *Planning Act 2016* and Section 22 and Schedule 10 of the *Planning Regulation 2017 (the Regulation)* are of relevance for the purposes of determining applicable referral agencies and their jurisdiction in terms of being advice or concurrence agencies as well as the relevant assessment benchmarks that are to be addressed.

The State Assessment and Referral Agency (**SARA**), established under the auspices of the Department of State Development, Infrastructure and Planning (**DSDIP**) is the assessment manager or referral agency for development applications where the State has a jurisdiction pursuant to Schedule 8 or 10 of the Regulation. Schedule 10 regulates when applications are referable. In accordance with Schedule 8, DSDIP will not be the assessment manager for this development application. The SDAP components of the overall development will be addressed by DSDIP as part of the application referral process.

**TABLE 1 - REFERRAL TRIGGER ASSESSMENT**

Part	Application Involving	Applicable	Comment
Part 1	Airport land	No	The proposed development is not located on airport land.
Part 2	Battery Storage Facilities	No	The proposed development is not associated with a battery storage facility.
Part 2A	Caboolture Interim Plan	West Structure No	The site is not located within the Caboolture West investigation or growth areas.

Part	Application Involving	Applicable	Comment
Part 3	Clearing native vegetation	Yes	<b>The site contains areas of native vegetation and the development will involve Reconfiguring a Lot where a lot with an area less than 25ha is created and requires clearing of native vegetation.</b>
Part 4	Contaminated land	No	The site is not identified as contaminated land.
Part 5	Environmentally relevant activities	No	An approval for an ERA is not sought.
Part 6	Fisheries	No	The proposed development is not associated with: <ul style="list-style-type: none"> <li>• aquaculture; or</li> <li>• the removal, destruction or damage of marine plants; or</li> <li>• the constructing or raising of waterway barrier works; and</li> <li>• is not within a declared fish habitat area.</li> </ul>
Part 7	Hazardous chemical facilities	No	The proposed development is not for a hazardous chemical facility.
Part 8	Heritage places	No	The proposed development is not associated with a locally listed place. In addition, the site is not associated with, nor does it adjoin a property on the Queensland heritage register.
Part 9	Infrastructure-related	No	The following relates to infrastructure-related referrals: <ul style="list-style-type: none"> <li>• The proposed development does not exceed the thresholds identified at Schedule 20.</li> <li>• The site is not associated with a designated premises.</li> <li>• The site is not located within 25m of a State transport corridor.</li> <li>• The site is not located adjacent to a local road that intersects with a State controlled road and is not within 100m of a State-controlled intersection.</li> <li>• The site is not identified as a future State-controlled road.</li> <li>• The site is not located within 100m of an electricity substation.</li> <li>• The site is not associated with an easement for oil and gas infrastructure.</li> <li>• The site is not in proximity to a State controlled transport tunnel (both existing and/or future).</li> </ul>
Part 10	Koala habitat area	No	The site is not mapped as containing koala habitat areas.
Part 11	Noise attenuation land	No	The site is not identified as being noise attenuation land and the site is not within proximity of an off-road motorcycle facility. The proposed development is not associated with prohibited development.
Part 12	Operational works for reconfiguring a lot	No	The proposed development does not involve Operational Works.
Part 13	Ports	No	The site is not associated with port land.
Part 14	Reconfiguring a lot	No	The proposed development does not involve Reconfiguring

Part	Application Involving	Applicable	Comment
	under Land Title Act		a Lot under the Land Title Act.
Part 15	SEQ Development area	No	The site is not located within an SEQ development area.
Part 16	SEQ regional landscape and rural production area and SEQ rural living area	No	The site is not located within the SEQ regional landscape and rural production area or the SEQ rural living area.
Part 16A	Southport Spit	No	The site is not located in the Southport Spit.
Part 16B	SEQ Northern Inter-Urban Break	No	The site is not located within the identified SEQ Northern Inter-Urban Break area.
Part 17	Tidal works or work in a coastal management district	No	The proposed development does not involve tidal works or works within a coastal management district.
Part 18	Urban design	No	The proposed development does not involve an increase in GFA that is greater than 25,000m <sup>2</sup> .
Part 19	Water-related development	No	The proposed development does not involve: <ul style="list-style-type: none"> <li>the taking or interfering of water; or</li> <li>removing quarry material from a watercourse or lake; or</li> <li>relates to a dam; or</li> <li>the construction of a levee.</li> </ul>
Part 20	Wetland protection area	No	The site is not identified as being within a wetland protection area.
Part 21	Wind farms	No	The proposed development does not involve a wind farm

The above assessment of the referral triggers under the *Planning Regulation 2017* confirms that the proposed development will trigger referral in this instance. Accordingly, the following referral triggers apply to this application.

Referral Trigger	Planning Regulation 2017	Agency Type	Technical Agency
Development application for Reconfiguring a Lot where <ol style="list-style-type: none"> <li>a lot that the application relates to is 5ha or larger; and</li> <li>the size of any lot created is 25ha or less; and</li> <li>either— <ol style="list-style-type: none"> <li>the reconfiguration involves operational work that is assessable development under section 5, other than operational work that is only</li> </ol> </li> </ol>	Schedule 10, Par3, Division 4, Table 2	Concurrence Agency	Department of Environment, Science, Tourism and Innovation

<p><i>the clearing of regulated regrowth vegetation; or</i></p> <p>ii. <i>(on any lot created, accepted operational work, other than operational work that is only the clearing of regulated regrowth vegetation, may be carried out</i></p>			
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#### 4.4 STATE DEVELOPMENT ASSESSMENT PROVISIONS

The State Development Assessment Provisions (**SDAP**) provide assessment benchmarks for the assessment of development applications where the chief executive administering the *Planning Act 2016 (the Act)* is the assessment manager or a referral agency. The chief executive through the State Assessment and Referral Agency (**SARA**) uses the SDAP to deliver a coordinated, whole-of-government approach to the state's assessment of development applications. The SDAP applies throughout the State and contains the matters of State interest the chief executive may have regard to when assessing/deciding a development application as either the assessment manager or referral agency.

The SDAP contains criteria for assessment within State Codes to clarify when the State is to be involved in the assessment of an application and the specific matters of State interest that apply. The SDAP is a specific assessment benchmark that a development must be assessed against as prescribed under the Regulation. In this instance, the proposed development triggers assessment against the following State Codes:

- **State Code 16** – Native Vegetation Clearing

An assessment against this State Code has been provided as part of the Ecological Assessment Report attached at **Appendix E**.

#### 4.5 REGIONAL PLANS

The site is located within the Toowoomba Regional Council Local Government Area and therefore the provisions of the Darling Downs Regional Plan apply in accordance with the provisions of the *Planning Regulation 2017*. An assessment of the development against the regional plan provisions is provided below.

##### 4.5.1 DARLING DOWNS REGIONAL PLAN

The Darling Downs Regional Plan was adopted on 14 October 2013 and covers the local authority areas of Balonne Shire Council and the Regional Councils of Goondiwindi, Maranoa, Southern Downs, Toowoomba and Western Downs.

The policies contained in the regional plan contribute towards the protection of strategic areas of priority agricultural land use from potentially incompatible resource activities and seek to maximise opportunities for co-existence of resources and agricultural land use. T

he regional plan also safeguards areas required for the growth of towns in the regions through the establishment of Priority Living Areas while providing for resource activities to locate within these areas where it meets communities' expectations as determined by the relevant local government.

In this instance, the site is located within the **Priority Agricultural Area (PAA)** under the Darling Downs Regional Plan.

The proposal involves a 2 into 2 Lot Rural Boundary Realignment in an area suitable for such purposes. Accordingly, the application complies with the provisions of Darling Downs Regional Plan.

## 4.6 TOowoomba Regional Planning Scheme 2012

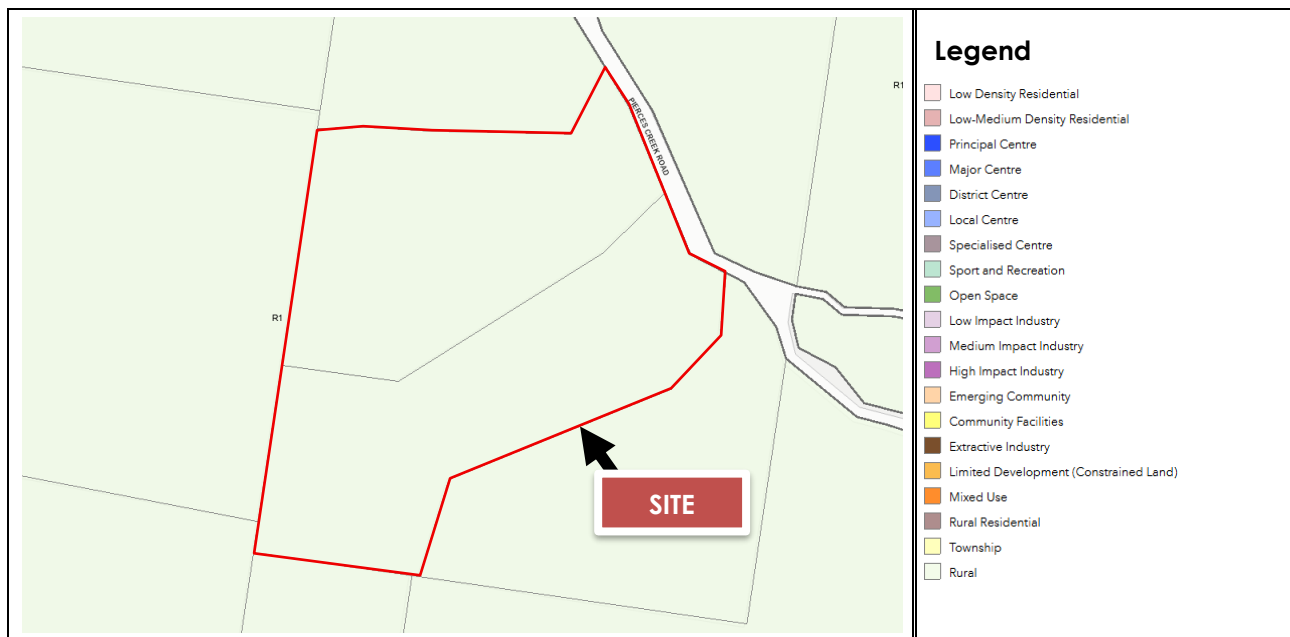
### 4.6.1 INTRODUCTION

Pursuant to the provisions of section 45(5) of the *Planning Act 2016*, an Impact Assessable Development Application must be assessed against the applicable assessment benchmarks of the applicable categorising instrument. The applicable categorising instrument in this instance is the *Toowoomba Regional Planning Scheme 2012*. A summary of the assessment of the proposal against the provisions of this instrument is outlined below.

### 4.6.2 ZONING

Under the *Toowoomba Regional Planning Scheme 2012*, the region is divided into twenty (20) land use zones. Certain zones are further divided into precincts for the purposes of conveying preferred land use intent or in order to assign assessment status to individual uses. The site is located within the **Rural Zone (100ha Precinct)**. The zoning of the site and surrounding locality is illustrated in **Figure 6**.

FIGURE 6 - ZONING MAPPING



Under the assessment table for Reconfiguring a Lot at section 5.45 of the *Toowoomba Regional Planning Scheme 2012*, a 2 into 2 Lot Boundary Realignment within the Rural Zone (100ha Precinct) is identified as **Impact Assessable** development where one or more of the proposed lots have an area less than 100ha.

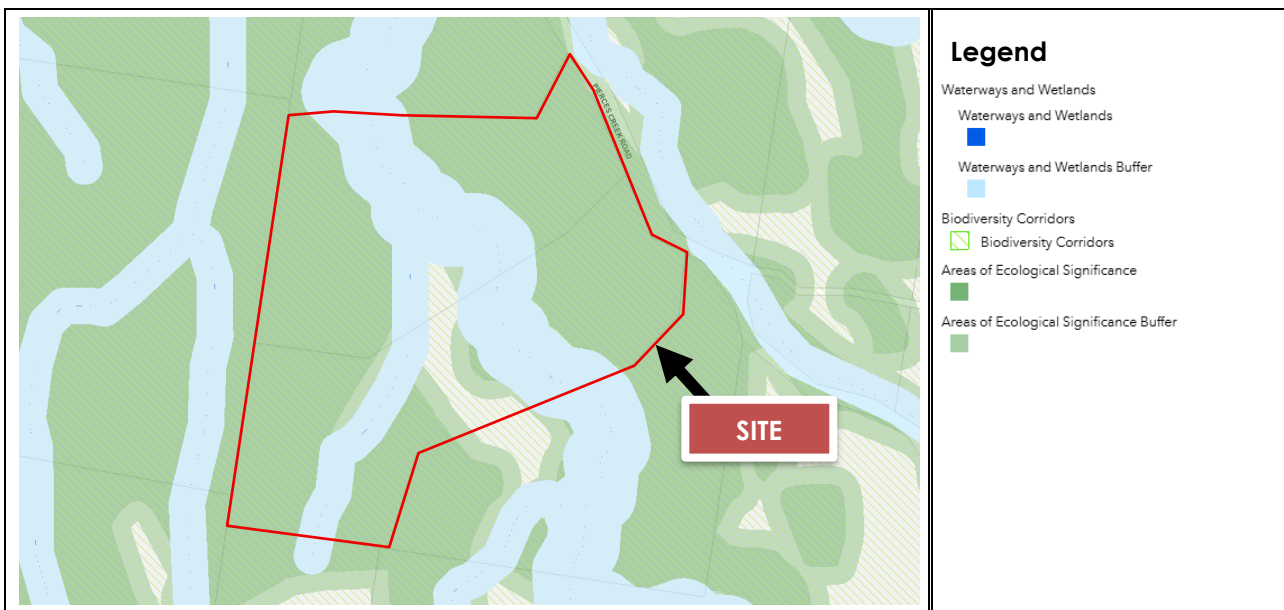
### 4.6.3 OVERLAY MAPPING

The Planning Scheme includes overlay maps that identify land characterised by particular features or subject to physical constraints that are likely to influence the use and development potential of affected areas. Overlay maps also identify those lands subject to assessment against specific area codes. In this instance, the subject land is impacted the following five (5) overlays:

- Environmental Significance Overlay;
- Bushfire Hazard Overlay;
- Agricultural Land Overlay;
- Landslide Hazard Overlay; and
- Flood Hazard Overlay.

The applicability of these overlays is illustrated in **Figures 7-11**.

**FIGURE 7 - ENVIRONMENTAL SIGNIFICANCE OVERLAY MAPPING**



**Figure 7** confirms that the site is impacted by the Environmental Significance Overlay. In particular, the site is located within a Biodiversity Corridor Area and contains Areas of Ecological Significance and associated buffer area as well as Waterways and Wetlands Buffer. Under the overlay assessment tables at section 5.10 of the *Toowoomba Regional Planning Scheme 2012*, the level of assessment for a Reconfiguring a Lot for a 2 into 2 Lot Boundary Realignment does not change and triggers assessment against the Environmental Significance Overlay Code. An assessment of the proposed development against this code is considered at Section 4.7.3.

FIGURE 8 - BUSHFIRE HAZARD OVERLAY MAPPING

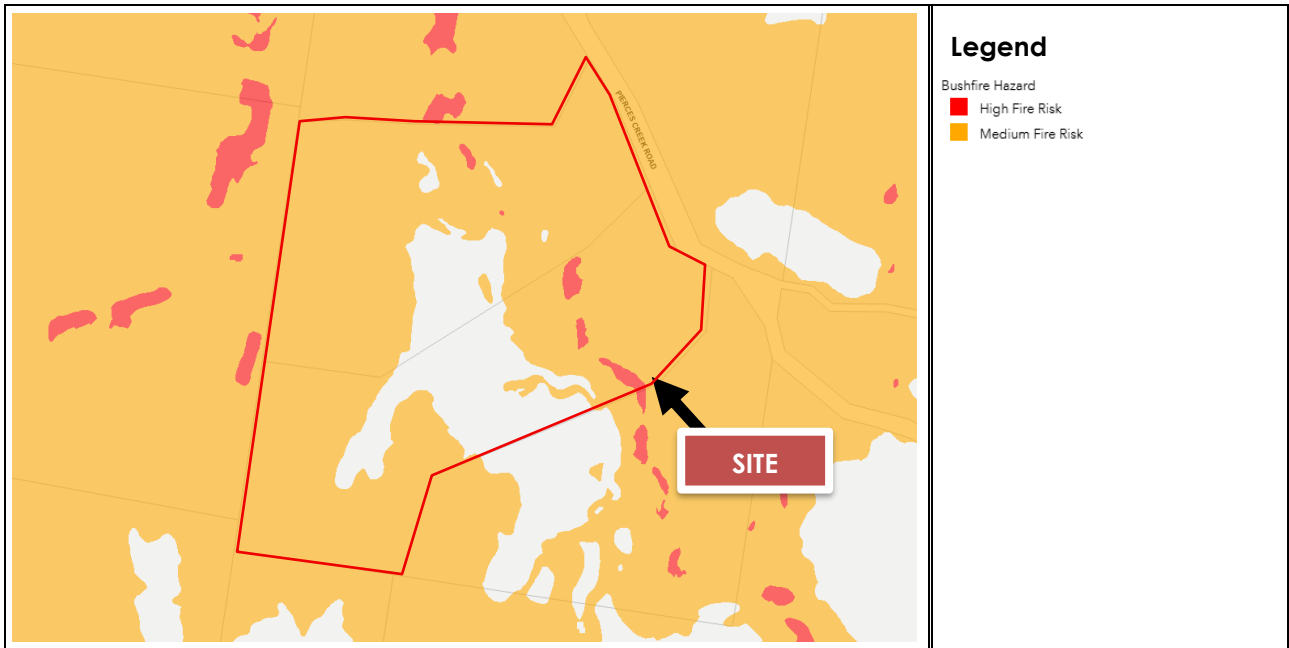
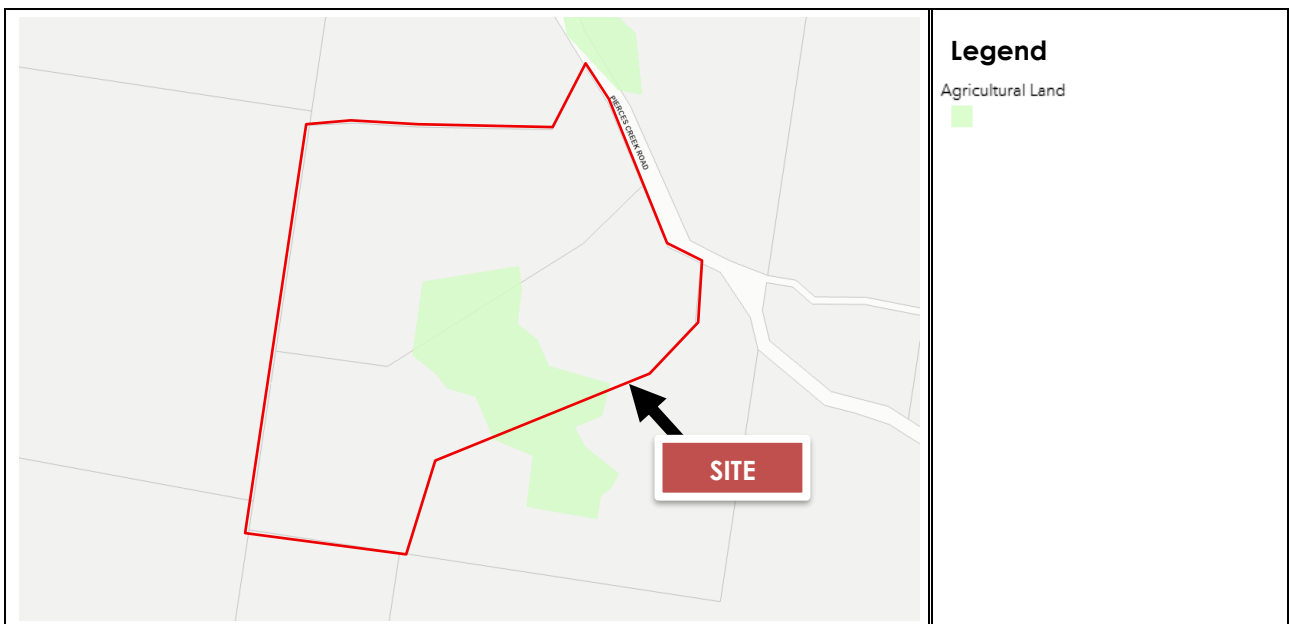


Figure 8 confirms that the site is impacted by the Bushfire Hazard Overlay. In particular, the site is mapped as containing Medium and High Fire Risk area. Under the overlay assessment tables at section 5.10 of the *Toowoomba Regional Planning Scheme 2012*, the level of assessment for a Reconfiguring a Lot for a 2 into 2 Lot Boundary Realignment does not change and triggers assessment against the Bushfire Hazard Overlay Code. An assessment of the proposed development against this code is considered at Section 4.7.3.

FIGURE 9 - AGRICULTURAL LAND OVERLAY MAPPING



**Figure 9** confirms that the site is impacted by the Agricultural Land Overlay. Under the overlay assessment tables at section 5.10 of the *Toowoomba Regional Planning Scheme 2012*, the level of assessment for a Reconfiguring a Lot for a 2 into 2 Lot Boundary Realignment does not change and triggers assessment against the Agricultural Land Overlay Code. An assessment of the proposed development against this code is considered at Section 4.7.3.

**FIGURE 10 - LANDSLIDE HAZARD OVERLAY MAPPING**



**Figure 10** confirms that the site is impacted by the Landslide Hazard Overlay. Under the overlay assessment tables at section 5.10 of the *Toowoomba Regional Planning Scheme 2012*, the level of assessment for a Reconfiguring a Lot for a 2 into 2 Lot Boundary Realignment does not change and triggers assessment against the Landslide Hazard Overlay Code. An assessment of the proposed development against this code is considered at Section 4.7.3.

FIGURE 11 - FLOOD HAZARD OVERLAY MAPPING

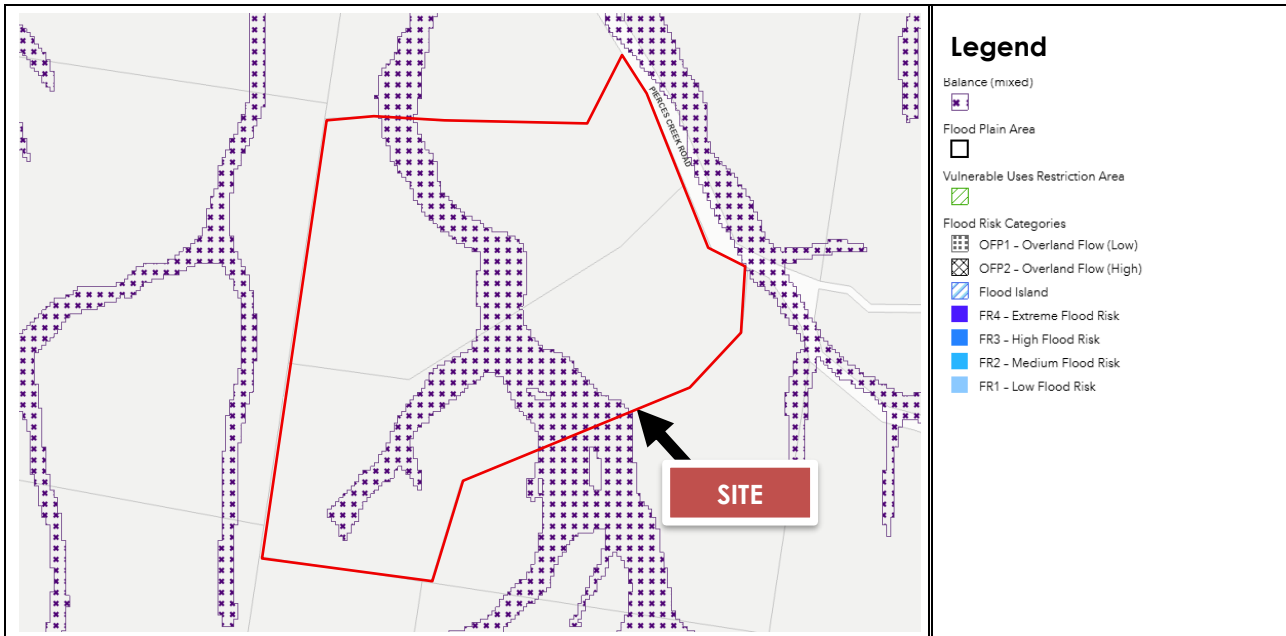


Figure 11 confirms that the site is impacted by the Flood Hazard Overlay. In particular, the site is mapped as being within the Balance (Mixed) hazard area. Under the overlay assessment tables at section 5.10 of the *Toowoomba Regional Planning Scheme 2012*, the level of assessment for a Reconfiguring a Lot for a 2 into 2 Lot Boundary Realignment does not change and triggers assessment against the Flood Hazard Overlay Code. An assessment of the proposed development against this code is considered at Section 4.7.3.

## 4.7 ASSESSMENT BENCHMARKS

As identified in section 4.7, this Development Application is subject to Impact Assessment and therefore requires assessment against the following provisions of the *Toowoomba Regional Planning Scheme 2012*.

- Strategic Framework; refer to section 4.7.1
- Overall Outcomes – Rural Zone (100ha Precinct); refer to section 4.7.2
- Applicable Codes; refer to section 4.7.3

### 4.7.1 STRATEGIC FRAMEWORK

Part 3 of the *Toowoomba Regional Planning Scheme 2012* provides the Strategic Framework that sets the policy direction for the planning scheme and forms the basis for ensuring development occurs at appropriate locations within the planning scheme area. The structure of the Strategic Framework comprises:

- seven (7) themes supported by strategic outcomes;
- elements that further refine the strategic outcomes sought; and
- specific outcomes and land use strategies for each of the elements.

The development has been assessed against the applicable provisions of the Strategic Framework and a summary of this assessment is provided in the table attached at **Appendix A**.

An assessment of the proposal against the provisions of the Strategic Framework indicates the proposal complies with the integrated policy direction sought for the planning scheme area and will not compromise the relevant strategic outcomes/elements sought for the individual themes.

#### 4.7.2 OVERALL OUTCOMES – RURAL ZONE (100HA PRECINCT)

Section 6.6.6 of the *Toowoomba Regional Planning Scheme 2012* outlines the general intent for development within the Rural Zone (100ha Precinct) through the collective identification of a series of overall outcomes for the zone. The proposed development generally complies with the intent of the Rural Zone (100ha Precinct) as detailed in **Table 2**.

**TABLE 2 - ASSESSMENT OF OVERALL OUTCOMES**

Overall Outcome	Response
(a) areas used or suitable for primary production are conserved and are not further fragmented;	<b>Complies:</b> The proposed development will not result in an overall reduction in the productive capacity of the land. The development seeks to increase the holding of Lot 8 and accordingly, enhances the overall productive capacity of the land.
(b) the establishment of a wide range of rural pursuits is facilitated, including cropping, intensive horticulture, intensive animal industries, animal husbandry and animal keeping and other compatible primary production uses;	<b>Not Applicable</b>
(c) uses that require isolation from urban areas as a consequence of their impacts, such as noise or odour, may be appropriate where land use conflicts are minimised;	<b>Not Applicable</b>
(d) development incorporates sustainable land management and other sustainable practices that maximise energy efficiency, water conservation and encourages sustainable transport use;	<b>Not Applicable</b>
(e) development contributes to the amenity and landscape character of the area;	<b>Not Applicable</b>
(f) the establishment of non rural activities that are directly associated with and subordinate to rural production, natural resources and landscape amenity is facilitated in a manner that minimises land use conflicts and is compatible with the character and environmental values of the locality. Suitable activities may include small-scale outdoor recreation, tourism facilities, short-term accommodation, home based businesses, and produce sales;	<b>Not Applicable</b>
(g) rural industries are facilitated where: <ul style="list-style-type: none"> <li>i. associated with rural production in the immediate vicinity;</li> <li>ii. avoiding or minimising adverse impacts on the amenity of the locality; and</li> </ul>	<b>Not Applicable</b>

Overall Outcome	Response
iii. compatible with the infrastructure in the locality.	
(h) natural features such as creeks, gullies, waterways, wetlands and bushland are retained, managed, enhanced and provided with appropriate buffers from development;	<b>Complies:</b> The proposed development ensures that the natural features of the land are retained and allows suitable buffers to be established in the future as required.
(i) adverse impacts of land use, both on-site and on adjoining areas, are avoided and any unavoidable impacts are minimised through location, design, operation and management;	<b>Not Applicable</b>
(j) existing intensive animal industries are protected from the intrusion of non rural activities such as small-scale outdoor recreation and tourism facilities;	<b>Not Applicable</b>
(k) the viability of both existing and future rural uses and activities are protected from the intrusion of incompatible uses; and	<b>Not Applicable</b>
(l) development has access to development infrastructure including utility installations and essential services.	<b>Complies:</b> The proposed lots will be connected to all infrastructure services available within the locality.
<b>100 Hectare Precinct</b>	
The overall outcome of the 100 Hectare Precinct within the Rural Zone is that the productive, natural and landscape values of highly fragmented rural land are preserved by the prevention of further fragmentation by reconfiguring a lot creating inappropriate lot sizes that do not support these outcomes.	<b>Complies:</b> The development seeks to increase the holding of Lot 8 and accordingly, enhances the overall productive capacity of the land despite not proposing lots with areas of 100ha.

The above assessment demonstrates that the proposed development generally satisfies the intent and outcomes sought for land included in the Rural Zone (100ha Precinct).

### 4.7.3 APPLICABLE CODES

The codes applicable to the assessment of the proposed development are identified in **Table 3** followed by a summary of the assessment outcomes.

**TABLE 3 - APPLICABLE CODES**

<b>Zone Code</b>
<ul style="list-style-type: none"> <li>Rural Zone Code An assessment against this code is provided at <b>Appendix B</b> and confirms that the development will not compromise the outcomes sought under this code.</li> </ul>
<b>Overlay Codes</b>
<ul style="list-style-type: none"> <li>Environmental Significance Overlay Code</li> </ul>

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An assessment against this code is provided within the Ecological Assessment Report attached at **Appendix E** and confirms that the development will not compromise the outcomes sought under this code.

- Bushfire Hazard Overlay Code

An assessment against this code is provided within the Bushfire Management Report attached at **Appendix D** and confirms that the development will not compromise the outcomes sought under this code

- Agricultural Land Overlay Code

An assessment against this code is provided at **Appendix B** and confirms that the development will not compromise the outcomes sought under this code.

- Landslide Hazard Overlay Code

An assessment against this code is provided at **Appendix B** and confirms that the development will not compromise the outcomes sought under this code.

- Flood Hazard Overlay Code

An assessment against this code is provided at **Appendix B** and confirms that the development will not compromise the outcomes sought under this code.

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### Development Codes

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- Reconfiguring a Lot Code

An assessment against this code is provided at **Appendix B** and confirms that the development will not compromise the outcomes sought under this code.

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## 5.0 TECHNICAL ASSESSMENTS

The following technical assessments and documentation have been completed to respond to and/or demonstrate the compliance of the proposal with the applicable standards:

- Bushfire Management Report, prepared by Range Environmental Consultants. Refer to **Appendix D**.
- Ecological Assessment Report, prepared by Range Environmental Consultants. Refer to **Appendix E**.

The above assessments confirm that the proposed development can achieve compliance with the applicable standards and benchmarks.

## **6.0 CONSULTATION**

### **6.1 STATUTORY NOTIFICATION**

This Development Application is Impact Assessable and accordingly is required to be publicly notified under the provisions of the *Planning Act 2016* and its associated regulations. Public notification will be undertaken at the appropriate stage of the assessment process, as set out in the Development Assessment Rules prescribed under the *Planning Regulation 2017*.

### **6.2 PRE-LODGE MENT MEETINGS**

The proposed development was not the subject of pre-lodgement discussions with Toowoomba Regional Council or the State Assessment and Referral Agency (SARA).

## 7.0 CONCLUSION

This Development Application seeks approval for a Reconfiguring a Lot for a 2 into 2 Lot Boundary Realignment on land at 1401 Pierces Creek Road, Pierces Creek. The assessment that has been undertaken has demonstrated the following:

- The proposed development seeks to increase the rural capacity of the land and accordingly, complies with the intent of the Rural Zone Code.
- The proposed development seeks to resolve existing access issues for each lot and ensures not neither lot is reliant on the other for access to certain areas.
- The proposed development has been designed to ensure that each lot will not be exposed to unacceptable levels of bushfire risk.
- The proposed development has been designed to ensure that clearing of native vegetation is reduced to the greatest extent possible to avoid unreasonable impacts on flora and fauna throughout the site.
- The proposed development has been designed to ensure it does not adversely impact on the surrounding environment or the safety of people and/or property as a result of natural hazards.
- The proposed development achieves compliance with the benchmarks within the relevant zone, overlay and development codes (as outlined in section 4.7).

Having regard to the matters and issues raised in this report it is recommended that Council support this Development Application for a Development Permit for Reconfiguring a Lot.

The proposal warrants approval subject to the imposition of reasonable and relevant conditions.

## **APPENDIX A - STRATEGIC FRAMEWORK**

*Toowoomba Regional Planning Scheme 2012*

**TOOWOOMBA REGIONAL PLANNING SCHEME 2012 – STRATEGIC FRAMEWORK**

Theme/Element	Relevance Yes/No	Assessment
<b>3.3 SETTLEMENT PATTERN</b>		
3.3.1 Strategic Outcomes	<b>Yes</b>	<p>The proposed boundary realignment (2 into 2 lots) does not result in the creation of additional lots and consequently, does not further fragment rural land in this area. The existing configuration currently consists of two (2) lots less than 100ha. The proposed development seeks to enhance the productive capacity of the land by increasing the holding of the larger lot to 97.29 ha and creating a smaller 3.93 ha lot. Accordingly, the development will result in an overall increase in the productive capacity of rural land. Furthermore, the proposed boundaries have been designed to respond to the physical characteristics of the site.</p> <p>The design and layout of the development ensures the potential for land use conflict is minimised and results in improved access arrangements for both lots. The nature of the proposed development is such that it will not impact on the rural character of the surrounding locality.</p>
3.3.2 Element – network of towns	No	
3.3.3 Element – compact urban form	No	
3.3.4 Element – suburban neighbourhoods	No	
3.3.5 Element – urban neighbourhoods	No	
3.3.6 Element – centres of activity	No	
3.3.7 Element – central business district (CBD)	No	
3.3.8 Element – sustainable urban development	No	
3.3.9 Element – rural landscape	<b>Yes</b>	Refer to response to 3.3.1.
3.3.10 Element – natural places	<b>Yes</b>	The nature of the development will not adversely affect areas of environmental significance, noting the proposal will not involve any physical works located within the Areas of Ecological Significance, Areas of Ecological Significance Buffer, and Waterways and Wetland Buffer on the Environmental Significance Overlay mapping.
3.3.11 Element – development constraints	<b>Yes</b>	The proposed boundary realignment (2 into 2 lots) does not result in the creation of additional lots. The proposed boundaries are located within areas of native vegetation. In this regard, reference is made to the Ecological Assessment Report attached at <b>Appendix E</b> . The proposed boundaries have been located to respond to the physical characteristics of the site including topography and existing fencelines. Furthermore, a large portion of the

**TOOWOOMBA REGIONAL PLANNING SCHEME 2012 – STRATEGIC FRAMEWORK**

Theme/Element	Relevance Yes/No	Assessment
		site is mapped as containing native vegetation and accordingly, avoiding these areas would result in an undesirable outcome from an agricultural capacity perspective.
3.3.12 Element – incompatible land uses	<b>Yes</b>	The development does not result in the creation of any additional vacant allotments, and realigned boundaries have been located to ensure the potential for land use conflict is minimised. The potential for neighbouring conflict is also reduced through improving access arrangements for both lots which currently rely on each other for access to certain parts of each allotment.
<b>3.4 NATURAL ENVIRONMENT</b>		
3.4.1 Strategic Outcomes	<b>Yes</b>	The nature of the development will not adversely affect areas of environmental significance, noting the proposal will not involve any physical works located within the Areas of Ecological Significance, Areas of Ecological Significance Buffer, and Waterways and Wetland Buffer on the Environmental Significance Overlay mapping. Reference is also made to the Ecological Assessment Report attached at <b>Appendix E</b> .
3.4.2 Element - protect ecosystems with biodiversity values	<b>Yes</b>	Refer to response to 3.4.1.
3.4.3 Element – waterways, wetlands and aquifers	<b>Yes</b>	Refer to response to 3.4.1.
3.4.4 Element - air quality	No	
3.4.5 Element – climate change	No	
3.4.6 Element – environmental offsets	No	
<b>3.5 COMMUNITY IDENTITY AND DIVERSITY</b>		
3.5.1 Strategic Outcomes	<b>Yes</b>	The proposed boundary realignment (2 into 2 lots) does not result in the creation of additional lots and consequently, does not further fragment rural land in this area. The existing configuration currently consists of two (2) lots less than 100ha. The proposed development seeks to enhance the productive capacity of the land by increasing the holding of the larger lot to 97.29 ha and creating a smaller 3.93 ha lot. Accordingly, the development will result in an overall increase in the productive capacity of rural land. Furthermore, the proposed boundaries have been designed to respond to the physical characteristics of the site.  The development does not result in the creation of any additional vacant allotments, and realigned boundaries have been located to ensure the potential for land use conflict is minimised.
3.5.2 Element – rural community identity	<b>Yes</b>	Refer to response to 3.5.1.

**TOOWOOMBA REGIONAL PLANNING SCHEME 2012 – STRATEGIC FRAMEWORK**

Theme/Element	Relevance Yes/No	Assessment
3.5.3 Element – Toowoomba City identity	No	
3.5.4 Element – urban design	No	
3.5.5 Element – community facilities and services	No	
3.5.6 Element – sport and recreation	No	
3.5.7 Element – urban parks and public places	No	
3.5.8 Element – housing diversity and affordability	No	
3.5.9 Element – cultural diversity and heritage	No	
<b>3.6 NATURAL RESOURCES AND LANDSCAPE</b>		
3.6.1 Strategic Outcomes	<b>Yes</b>	<p>The land is partially located within the Agricultural Land Overlay of the Planning Scheme. The proposed development will involve the creation of a lot with an area less than 100ha, however, will also result in the creation of a significantly larger lot which enhances the overall productive capacity of the land. Accordingly, the development will allow for the more efficient utilisation and effective management of productive agricultural land for rural activities and improves access arrangements.</p> <p>The proposed realignment will allow the existing natural and scenic landscape values of the land to be maintained, noting the development will require minimal physical works on the site.</p>
3.6.2 Element – scenic amenity	No	
3.6.3 Element – water resources	No	
3.6.4 Element – sustainable production	No	
3.6.5 Element – natural economic resources	<b>Yes</b>	Refer to response to 3.6.1.
3.6.6 Element – stock routes	No	
<b>3.7 ACCESS AND MOBILITY</b>		
3.7.1 Strategic Outcomes	<b>Yes</b>	Proposed Lot 8 will maintain existing access to Pierces Creek Road. The proposed realignment ensures that Proposed Lot 9 can be provided with suitable access as part of future development. Furthermore, the proposed realignment ensures that the lots do not rely on each other for access.
3.7.2 Element – integrated transport system	No	

**TOOWOOMBA REGIONAL PLANNING SCHEME 2012 – STRATEGIC FRAMEWORK**

Theme/Element	Relevance Yes/No	Assessment
3.7.3 Element – active transport	No	
3.7.4 Element – public transport	No	
3.7.5 Element – road network	No	
<b>3.8 INFRASTRUCTURE AND SERVICES</b>		
3.8.1 Strategic Outcomes	<b>Yes</b>	The realigned lots will be provided with appropriate infrastructure connections in accordance with Council's standards noting that limited infrastructure is available within the locality. The lots will be of sufficient size to cater for on-site effluent systems if required.
3.8.2 Element – coordinated infrastructure planning and delivery	No	
3.8.3 Element – integrating water management and infrastructure	No	
3.8.4 Element – waste water management infrastructure and services	<b>Yes</b>	Refer to response to 3.8.1.
3.8.5 Element – utility infrastructure and services	<b>Yes</b>	Refer to response to 3.8.1.
3.8.6 Element – waste management and recycling	No	
<b>3.9 ECONOMIC DEVELOPMENT</b>		
3.9.1 Strategic Outcomes	No	
3.9.2 Element - economic growth	No	
3.9.3 Element – activity centres and employment	No	
3.9.4 Element – creative and knowledge-based industries	No	
3.9.5 Element – tourism	No	

## **APPENDIX B - ASSESSMENT BENCHMARKS**

*Toowoomba Regional Planning Scheme 2012*

### Toowoomba Regional Planning Scheme 2012 (v28.0)

#### Rural Zone Code – Requirements for accepted development and assessment benchmarks for assessable development

Performance outcomes	Acceptable outcomes	Compliance summary
<b>General</b>		
PO <sub>1</sub> Setbacks are provided to: (a) avoid potential nuisance to neighbours; (b) protect residential amenity; and (c) maintain the local landscape character.	AO <sub>1.1</sub> Non-residential buildings, animal enclosures, storage facilities and waste disposal areas are setback the following distances from any: (a) dwelling on adjoining land in the Rural Zone - 50m; (b) land included in the low Density Residential, Low-medium Density Residential, Township, Emerging Community or the Rural Residential Zones - 100m.	<b>N/A:</b> The proposed development is for Reconfiguring a Lot.
PO <sub>2</sub> Development does not adversely impact on the character of the locality, having regard to the scale and visibility of buildings.	AO <sub>2.1</sub> Building height (other than for silos, windmills and similar farming infrastructure) does not exceed two (2) storeys or 10.5m in height above natural ground level.	<b>N/A:</b> The proposed development is for Reconfiguring a Lot.
<b>Roadside Stalls and Shops</b>		
PO <sub>3</sub> The display and sale of goods does not impact negatively upon the amenity, character or safety of rural areas and the safety and efficiency of roads.	AO <sub>3.1</sub> Any structure used for the sale of goods or produce is limited to 25m <sup>2</sup> gross floor area. AO <sub>3.2</sub> Access to the structure is via the primary property access point. AO <sub>3.3</sub> Produce or goods sold are grown, made or produced on or adjacent to the land on which the road side stall is erected.	<b>N/A:</b> The proposed development is for Reconfiguring a Lot.
<b>Dwelling House</b>		
PO <sub>4</sub> Dwellings have safe, all weather road access.	AO <sub>4.1</sub> Formed road access is provided to the dwelling.	<b>N/A:</b> The proposed development is for Reconfiguring a Lot.
PO <sub>5</sub> An adequate, safe and reliable supply of potable and general use water is provided.	AO <sub>5.1</sub> The dwelling is connected to a rainwater tank with a capacity of at least 45,000 litres.	<b>N/A:</b> The proposed development is for Reconfiguring a Lot.

**Toowoomba Regional Planning Scheme 2012 (v28.0)**

**Rural Zone Code – Requirements for accepted development and assessment benchmarks for assessable development**

Performance outcomes	Acceptable outcomes	Compliance summary
PO <sub>6</sub> Wastewater generated on site is treated and disposed of in a sustainable manner.	AO <sub>6.1</sub> Wastewater is treated and disposed of in accordance with the <i>Queensland Plumbing and Wastewater Code (QPW)</i> .	<b>N/A:</b> The proposed development is for Reconfiguring a Lot.
PO <sub>7</sub> The location of any dwelling does not compromise the continued operation of an existing or approved intensive animal industry, extractive industry or other uses that are incompatible with residential development.	AO <sub>7.1</sub> The dwelling is located at least 1,000m from an existing or approved intensive animal industry operation. AO <sub>7.2</sub> The dwelling is separated from an extractive industry by at least: (a) 500m from a hard rock extractive industry; (b) 200m from a sand and gravel extractive industry; and (c) 100m from a haul route. AO <sub>7.3</sub> The dwelling is setback from site boundaries by 50m.	<b>N/A:</b> The proposed development is for Reconfiguring a Lot.
<b>Caretaker's Accommodation</b>		
PO <sub>8</sub> Development provides for the accommodation of a caretaker, and their family members, in a manner that: (a) does not compromise the productivity of use; (b) is safe and comfortable for the amenity residents; and (c) has regard to the landscape and private recreation needs of the residents.	AO <sub>8.1</sub> A caretaker's accommodation is: (a) separated from significant levels of emissions (adverse to human health or amenity) generated by the use/s of the site by at least 6m; (b) provided with a private landscape and recreation area which: (i) is directly accessible from a habitable room; and (ii) if at ground level, has a minimum area of 16m <sup>2</sup> with minimum dimensions of 4m; and (iii) if a balcony, a veranda or a deck, has a minimum area of 8m <sup>2</sup> with minimum dimensions of 2.4m.	<b>N/A:</b> The proposed development is for Reconfiguring a Lot.

**Toowoomba Regional Planning Scheme 2012 (v28.0)**

**Rural Zone Code – Requirements for accepted development and assessment benchmarks for assessable development**

Performance outcomes	Acceptable outcomes	Compliance summary
	AO <sub>8.2</sub> No more than one (1) caretaker's accommodation is established per non-residential use.	
<b>Noise Amenity</b>		
PO <sub>9</sub> The use does not adversely impact on the amenity of the surrounding residential land uses and/or residential streetscape character.	AO <sub>9.1</sub> New building plant or air-conditioning equipment is located central to the building and screened from view of the street or nearby residential uses.	<b>N/A:</b> The proposed development is for Reconfiguring a Lot.
<b>Outdoor Lighting</b>		
PO <sub>10</sub> Outdoor lighting maintains the amenity of the surrounding area and does not adversely impact the safety for vehicles or pedestrians on the adjoining street as a result of light emissions, either directly or by reflection.	AO <sub>10.1</sub> Outdoor lighting is restricted to low level security lighting only. AO <sub>10.2</sub> Outdoor lighting is designed, installed and maintained in accordance with the parameters and requirements of AS4282 – <i>Control of the Obtrusive Effects of Outdoor Lighting</i> .	<b>N/A:</b> The proposed development is for Reconfiguring a Lot.
<b>Building Work (not associated with a Material Change of Use)</b>		
PO <sub>11</sub> Provision is made for on-site vehicle parking to meet the demand likely to be generated by the development and to avoid on-street parking where that would adversely impact on the safety or capacity of the road network or unduly impact on local amenity.	PO <sub>11.1</sub> Car parking is provided in accordance with the Transport, Access and Parking Code.	<b>N/A:</b> The proposed development is for Reconfiguring a Lot.
PO <sub>12</sub> Landscaping makes a positive contribution to the site and the amenity of the surrounding area and existing landscaping is not diminished.	PO <sub>12.1</sub> No reduction of previously approved landscaping areas is to occur.	<b>N/A:</b> The proposed development is for Reconfiguring a Lot.
PO <sub>13</sub> Stormwater resulting from roofed areas is collected and discharged in a manner that does not adversely affect the stability of buildings or the use of adjacent land.	PO <sub>13.1</sub> Roof water is collected and discharged in accordance with SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure.	<b>N/A:</b> The proposed development is for Reconfiguring a Lot.

**Toowoomba Regional Planning Scheme 2012 (v28.0)**

**Rural Zone Code – Requirements for accepted development and assessment benchmarks for assessable development**

Performance outcomes	Acceptable outcomes	Compliance summary
<p>PO<sub>14</sub> Wastewater treatment and disposal is provided that is appropriate for the level of demand generated, protects public health and avoids environmental harm.</p>	<p>PO<sub>14.1</sub> Where within a wastewater area, the development is connected to the Council's reticulated wastewater system in accordance with SC6.3 PSP No.3 Engineering Standards – Water and Wastewater Infrastructure.</p> <p>OR</p> <p>PO<sub>14.2</sub> Waste water systems and connections are designed and constructed in accordance with SC6.3 PSP No.3 Engineering Standards - Water and Wastewater Infrastructure.</p>	<p><b>N/A:</b> The proposed development is for Reconfiguring a Lot.</p>

**Toowoomba Regional Planning Scheme 2012 (v28.0)**

**Rural Zone Code – Assessment benchmarks for assessable development**

Performance outcomes	Acceptable outcomes	Compliance summary
<b>Cropping being Forestry</b>		
PO <sub>1</sub> Forestry is established, maintained and operated in a manner that protects the amenity of the locality.	AO <sub>1.1</sub> Use of equipment and machinery and haulage associated with forestry is restricted to: (a) Monday to Saturday – 7:00 am - 7:00 pm; and (b) Sunday and Public Holidays – 8:00 am – 7:00 pm. AO <sub>1.2</sub> Forestry does not occur on land having slopes steeper than 15%.	<b>N/A:</b> The proposed development is for Reconfiguring a Lot.
PO <sub>2</sub> Adverse consequences of road traffic from harvesting activities on the road network are avoided.	No acceptable outcome is nominated.	<b>N/A:</b> The proposed development is for Reconfiguring a Lot.
PO <sub>3</sub> Forestry is established, maintained and harvested in a manner that maintains the environmental integrity, catchment values and the ecological values of the site.	AO <sub>3.1</sub> Land is not left in a disturbed and exposed condition, and is rehabilitated following harvesting.	<b>N/A:</b> The proposed development is for Reconfiguring a Lot.
<b>Uses</b>		
PO <sub>4</sub> The zone primarily accommodates rural activities and related ancillary uses or compatible uses consistent with the values and features of the zone including its rural production capacity, natural resources and scenic landscape amenity.	AO <sub>4.1</sub> Uses which are consistent with the intent of the zone include: (a) rural activities; (b) dwelling house where associated with rural activities; (c) caretaker's accommodation; (d) emergency services; (e) home based business; (f) major electricity infrastructure; (g) nature-based tourism; (h) outstation; (i) rural works' accommodation; (j) substation;	<b>N/A:</b> The proposed development is for Reconfiguring a Lot. The proposed lots ensure that uses outlined in AO <sub>4.1</sub> can still be established.

**Toowoomba Regional Planning Scheme 2012 (v28.0)**

**Rural Zone Code – Assessment benchmarks for assessable development**

Performance outcomes	Acceptable outcomes	Compliance summary
	(k) transport depot (where in the Heinemann Road Transport Precinct); and (l) warehouse (where in the Heinemann Road Transport Precinct and for the overnight storage of trucks and other road transport vehicles and the temporary storage of goods awaiting reshipment). AO4.2 Uses which are inconsistent with the intent of the zone include: (a) business activities; (b) accommodation activities (other than dwelling houses and short-term accommodation); (c) entertainment activities; (d) industry activities other than rural industry and extractive industry activities and industries requiring isolation from urban areas; and (e) recreation activities.	
PO <sub>5</sub> Rural industries are established only where associated with rural production in the immediate vicinity.	No acceptable outcome is nominated.	<b>N/A:</b> The proposed development is for Reconfiguring a Lot.
PO <sub>6</sub> Tourism and recreation related uses are established only where they are small in scale and are directly associated with rural production, natural resources and landscape amenity in the immediate vicinity.	No acceptable outcome is nominated.	<b>N/A:</b> The proposed development is for Reconfiguring a Lot.
<b>Rural Character</b>		
PO <sub>7</sub> Buildings are have a low rise, rural character.	AO7.1 Building height (other than for silos, windmills and similar farming infrastructure) does not exceed	<b>N/A:</b> The proposed development is for Reconfiguring a Lot.

**Toowoomba Regional Planning Scheme 2012 (v28.0)**

**Rural Zone Code – Assessment benchmarks for assessable development**

Performance outcomes	Acceptable outcomes	Compliance summary
	two (2) storeys or 10.5m in height above natural ground level.	
PO <sub>8</sub> Development does not unduly impact on the rural amenity and character of the locality, having regard to: (a) the scale, siting and design of buildings and structures; (b) visibility from roads and other public view points, screening vegetation and landscaping; and (c) the natural landform and avoidance of visual scarring; (d) noise, odour and other emissions.	No acceptable outcome is nominated.	<b>Performance Solution:</b> The proposed development seeks to create lots that are of a consistent scale with the surrounding locality and ensures that the established rural amenity and character is not diminished.
PO <sub>9</sub> Roads and other infrastructure are of a sufficient capacity to accommodate the demands generated by the development.	No acceptable outcome is nominated.	<b>N/A:</b> The proposed development is for Reconfiguring a Lot.
<b>Rural Viability and Managing Conflicts</b>		
PO <sub>10</sub> Development does not restrict the ongoing operation or viability of nearby rural uses.	No acceptable outcome is nominated.	<b>Performance Solution:</b> The proposed development is not of a nature that will impact the ongoing operation or viability of rural uses.
PO <sub>11</sub> Development that may be sensitive to the spray drift, odour, noise, dust, smoke and ash potentially associated with agricultural activities is adequately separated or buffered to avoid significant conflict.	No acceptable outcome is nominated.	<b>N/A:</b> The proposed development is for Reconfiguring a Lot.
<b>Site Layout</b>		
PO <sub>12</sub> The site layout responds sensitively to on-site and surrounding topography, drainage patterns, utility services, access, vegetation and adjoining land use, such that:	No acceptable outcome is nominated.	<b>Performance Solution:</b> The proposed development responds to the physical characteristics of the site. In particular, the proposed boundaries respond to the topographical features and existing fencing on the site

**Toowoomba Regional Planning Scheme 2012 (v28.0)**

**Rural Zone Code – Assessment benchmarks for assessable development**

Performance outcomes	Acceptable outcomes	Compliance summary
<ul style="list-style-type: none"> <li>(a) any hazards to people or property are avoided;</li> <li>(b) any earthworks are minimised;</li> <li>(c) the retention of natural drainage lines is maximised;</li> <li>(d) the retention of existing vegetation and biodiversity values is maximised;</li> <li>(e) damage or disruption to sewer, stormwater and water infrastructure is avoided; and</li> <li>(f) there is adequate buffering, screening or separation to adjoining development.</li> </ul>		<p>which ensures that environmental impacts are reduced.</p>
<b>Precincts</b>		
PO <sub>13</sub> Development in the 100ha Precinct: <ul style="list-style-type: none"> <li>(a) does not involve the creation of additional lots smaller than 100ha;</li> <li>(b) maintains the productive capacity of the land; and</li> <li>(c) maintains the natural and scenic landscape values of the land.</li> </ul>	No acceptable outcome is nominated.	<p><b>Performance Solution:</b> The proposed development does not involve the creation of a lot with an area greater than 100ha. In this regard, the development will create a lot with an area of 97.29ha which is only a small amount below the minimum lot size. Furthermore, the development will improve the overall productive capacity of the land noting the site is comprised of two lots with site areas of 48.65ha and 52.56ha.</p>
PO <sub>14</sub> Development in the 200ha Precinct: <ul style="list-style-type: none"> <li>(a) does not involve the creation of additional lots smaller than 200ha;</li> <li>(b) maintains the productive capacity of the land; and</li> <li>(c) maintains the natural and landscape values of the land.</li> </ul>	No acceptable outcome is nominated.	<p><b>N/A:</b> The site is not located within the 200ha precinct.</p>

**Toowoomba Regional Planning Scheme 2012 (v28.0)**

**Agricultural Land Overlay Code – assessment benchmarks for assessable development**

Performance outcomes	Acceptable outcomes	Compliance summary
PO <sub>1</sub> Development does not reduce the productive capacity of the land or result in conflict with nearby rural uses.	No acceptable outcome is nominated.	<b>Performance Solution:</b> The proposed development will not result in an overall reduction in the productive capacity of the land. The proposed development seeks to increase the holding of one of the lots through the consolidation of land and subsequently improves the productive capacity of Proposed Lot 8.
PO <sub>2</sub> Non-rural uses, and rural uses which are not dependent on the agricultural quality of the land, do not compromise the long term productive capacity of agricultural land.	AO <sub>2.1</sub> Non-rural uses, and rural uses which are not dependent on the agricultural quality of the land, are not located on agricultural land.  OR AO <sub>2.2</sub> Development is compatible with agricultural production and is designed and located in a way that does not inhibit or prevent normal farming practices in the future <i>Note: examples of development that achieve this outcome may include a golf course, plant nursery or sports field</i>	<b>N/A:</b> The proposed development is for Reconfiguring a Lot.
PO <sub>3</sub> Reconfiguring lots on agricultural land does not result in allotment sizes that result in: (a) fragmentation of rural lands and loss of land to viable rural production; (b) conflict between farming and residential uses; or (c) loss of farming flexibility.	AO <sub>3.1</sub> The minimum lot size in the Rural Zone is in accordance with Table 9.3.3:2 of Part 9.3.3, Reconfiguring a Lot Code.  OR AO <sub>3.2</sub> The proposed lot is smaller than that nominated in Table 9.3.3:2 of Part 9.3.3, Reconfiguring a Lot Code and the reconfiguration is a boundary realignment that would not create any additional lots and would provide for the implementation of improved land management practices or productive utilisation of the land.	<b>N/A:</b> Refer to response to AO <sub>3.2</sub> .  <b>Complies:</b> The proposed development does not involve the creation of a lot with an area greater than 100ha. In this regard, the development will create a lot with an area of 97.29ha which is only a small amount below the minimum lot size. Furthermore, the development will improve the overall productive capacity of the land noting the site is comprised of two lots with site areas of 48.65ha and 52.56ha.
PO <sub>4</sub> Residential development in close proximity to agricultural land is located and designed in a manner that avoids its alienation.	No acceptable outcome is nominated.	<b>N/A:</b> The proposed development is for Reconfiguring a Lot.

**Toowoomba Regional Planning Scheme 2012 (v28.0)**

**Landslide Hazard Overlay Code – requirements for accepted development**

Performance outcomes	Acceptable outcomes	Compliance summary
<b>Land Use</b>		
<p>PO<sub>1</sub> Development maintains the safety of people and property from the risk of landslide.</p>	<p>AO<sub>1.1</sub> Development is carried out in accordance with a geo-technical report, prepared by a suitably qualified and experienced registered engineer, that includes:</p> <ul style="list-style-type: none"> <li>(a) an assessment of the stability of the site;</li> <li>(b) an assessment of the impact that the proposed development (including all proposed buildings, roads, excavation and/or filling, access and drainage works) would have on the stability of the site and adjacent land; and</li> <li>(c) requirements (including, where relevant, preferred locations, methods of construction and management regimes for buildings, foundations, roads, excavation and/or filling, storm and wastewater drainage, landscaping and other works) that are necessary to be incorporated into the development to reduce the level of risk to life and property (whether on the site or not) to an acceptable level.</li> </ul> <p>AO<sub>1.2</sub> In high risk areas shown on the Landslide Hazard Overlay maps, development does not:</p> <ul style="list-style-type: none"> <li>(a) involve any new building work other than a minor extension &lt;20m<sup>2</sup> gross floor area to an existing building;</li> <li>(b) create any additional lots;</li> <li>(c) involve vegetation clearing; or</li> </ul>	<p><b>Performance Solution:</b> The proposed development will not involve new lot boundaries being located within High Risk Areas. Furthermore, both allotments have areas outside of the Landslide Hazard Overlay which allows future development to be established outside of natural hazards. Accordingly, the development will not result in adverse impacts on the safety of people.</p>

**Toowoomba Regional Planning Scheme 2012 (v28.0)**

**Landslide Hazard Overlay Code – requirements for accepted development**

Performance outcomes	Acceptable outcomes	Compliance summary
	(d) alter stormwater conditions or ground levels beyond the limitations identified in AO3.2.	
PO <sub>2</sub> Public safety and the environment are not adversely affected by the impacts of landslide on hazardous material made or stored on the subject site.	AO <sub>2.1</sub> The manufacture and/or storage of dangerous goods does not occur on a site shown as high risk on the Landslide Hazard Overlay maps.	<b>Not Applicable:</b> The proposed development is for Reconfiguring a Lot.
<b>Siting and design</b>		
PO <sub>3</sub> The siting and design of development minimises impacts on the natural landform and landscape character.  Note: Figure A illustrates preferred forms of development on steep land. Figure B illustrates features which are inappropriate.	AO <sub>3.1</sub> Development avoids cut and fill by using elevated or light-framed construction, or stepped (split level) building forms.  AO <sub>3.2</sub> Any proposed cut and fill does not: (a) involve a total change of more than 1.5m relative to natural ground level at any point; (b) occur within 1.5m of any site boundary; (c) necessitate the construction of retaining walls exceeding 1.2m in height; and (d) exceed 50m <sup>3</sup> of cut and/or fill in total.	<b>Not applicable:</b> The proposed development will not involve cut or fill.
PO <sub>4</sub> Vehicle access is designed and located to: (a) avoid risk of landslip and erosion; and (b) provide for safe and functional all weather access.	AO <sub>4.1</sub> Development is designed so that vehicular access does not exceed a grade of 1 in 4.	<b>Complies:</b> Future vehicle access can be provided such that it will not exceed a grade of 1 in 4.
<b>Community Infrastructure</b>		
PO <sub>5</sub> Community infrastructure is able to function effectively during and immediately after landslide events.	AO <sub>5.1</sub> Community infrastructure is not located in a landslide hazard area (as identified in the Landslide Hazard Overlay Maps).  OR AO <sub>5.2</sub> The community infrastructure development does not:	<b>Not applicable.</b> The proposed development does not involve community infrastructure.

**Toowoomba Regional Planning Scheme 2012 (v28.0)**

**Landslide Hazard Overlay Code – requirements for accepted development**

Performance outcomes	Acceptable outcomes	Compliance summary
	<p>(a) result in any new building work other than an addition to an existing building;</p> <p>(b) involve vegetation clearing; or</p> <p>(c) alter ground levels or stormwater conditions.</p> <p>OR</p> <p>AO<sub>5.3</sub> The development includes measures that ensure:</p> <p>(a) the long term stability of the site;</p> <p>(b) access to the site will not be impeded by a landslide event; and</p> <p>(c) the community infrastructure will not be adversely affected by landslides originating on sloping land above the site.</p>	

**Toowoomba Regional Planning Scheme 2012 (v28.0)**

**Landslide Hazard Overlay Code – assessment benchmarks for assessable development**

Performance outcomes	Acceptable outcomes	Compliance summary
<b>Land Use</b>		
<p>PO<sub>1</sub> Development maintains the safety of people and property from the risk of landslide.</p>	<p>AO<sub>1.1</sub> Development is carried out in accordance with a geo-technical report, prepared by a suitably qualified registered engineer, that includes:</p> <ul style="list-style-type: none"> <li>(a) an assessment of the stability of the site;</li> <li>(b) an assessment of the impact that the proposed development (including all proposed buildings, roads, excavation and/or filling, access and drainage works) would have on the stability of the site and adjacent land; and</li> <li>(c) requirements (including, where relevant, preferred locations, methods of construction and management regimes for buildings, foundations, roads, excavation and/or filling, storm and wastewater drainage, landscaping and other works) that are necessary to be incorporated into the development to reduce the level of risk to life and property (whether on the site or not) to an acceptable level.</li> </ul> <p>AO<sub>1.2</sub> In high risk areas shown on the Landslide Hazard Overlay maps, development does not:</p> <ul style="list-style-type: none"> <li>(a) involve any new building work other than a minor extension &lt;20m<sup>2</sup> gross floor area to an existing building;</li> <li>(b) create any additional lots;</li> <li>(c) involve vegetation clearing; or</li> <li>(d) alter stormwater conditions or ground levels beyond the limitations identified in AO<sub>3.2</sub>.</li> </ul>	<p><b>Performance Solution:</b> The proposed development will not involve new lot boundaries being located within High Risk Areas. Furthermore, both allotments have areas outside of the Landslide Hazard Overlay which allows future development to be established outside of natural hazards. Accordingly, the development will not result in adverse impacts on the safety of people.</p>

**Toowoomba Regional Planning Scheme 2012 (v28.0)**

**Landslide Hazard Overlay Code – assessment benchmarks for assessable development**

Performance outcomes	Acceptable outcomes	Compliance summary
<p>PO<sub>2</sub> Public safety and the environment are not adversely affected by the impacts of landslide on hazardous material made or stored on the subject site.</p>	<p>AO<sub>2.1</sub> The manufacture and/or storage of dangerous goods does not occur on a site shown as high risk on the Landslide Hazard Overlay maps.</p>	<p><b>Not Applicable:</b> The proposed development is for Reconfiguring a Lot.</p>
<b>Siting and design</b>		
<p>PO<sub>3</sub> The siting and design of development minimises impacts on the natural landform and landscape character.</p> <p><i>Note: Figure A illustrates preferred forms of development on steep land. Figure B illustrates features which are inappropriate.</i></p>	<p>In partial compliance of the performance outcome:</p> <p>AO<sub>3.1</sub> Development avoids cut and fill by using elevated or light-framed construction, or stepped (split level) building forms.</p> <p>AO<sub>3.2</sub> Development involves cut and fill which does not:</p> <ul style="list-style-type: none"> <li>(a) involve a total change of more than 1.5m relative to natural ground level at any point;</li> <li>(b) occur within 1.5m of any site boundary;</li> <li>(c) necessitate the construction of retaining walls exceeding 1.2m in height; and</li> <li>(d) exceed 50m<sup>3</sup> of cut and/or fill in total.</li> </ul>	<p><b>Not applicable:</b> The proposed development will not involve cut or fill.</p>
<p>PO<sub>4</sub> The development includes measures that ensure:</p> <ul style="list-style-type: none"> <li>(a) the long term stability of the development site;</li> <li>(b) access to the site is not restricted during a landslide event;</li> <li>(c) the need for significant earthworks is avoided;</li> <li>(d) landslide hazards are avoided; and</li> <li>(e) the risk of erosion is avoided.</li> </ul>	<p>No acceptable outcome is nominated.</p>	<p><b>Complies:</b> The proposed development does not involve earthworks and accordingly, will not result in adverse impacts on the stability of the site or expose people to landslide hazard.</p>
<p>PO<sub>5</sub> Vehicle access is designed and located to:</p> <ul style="list-style-type: none"> <li>(a) avoid risk of landslip and erosion; and</li> <li>(b) provide for safe and functional all weather access.</li> </ul>	<p>AO<sub>5.1</sub> Development is designed so that vehicular access does not exceed a grade of 1 in 4.</p>	<p><b>Complies:</b> Future vehicle access can be provided such that it will not exceed a grade of 1 in 4.</p>

**Toowoomba Regional Planning Scheme 2012 (v28.0)**

**Landslide Hazard Overlay Code – assessment benchmarks for assessable development**

Performance outcomes	Acceptable outcomes	Compliance summary
PO <sub>6</sub> Vegetation clearing is avoided and where practicable, revegetation is undertaken to strengthen landslide risk areas.	No acceptable outcome is nominated.	<b>Complies:</b> Vegetation clearing will be avoided to the greatest extent possible. In this regard, the proposed boundary responds to the location of the existing fencing which minimises the need for vegetation clearing.
<b>Community Infrastructure</b>		
PO <sub>7</sub> Community infrastructure is able to function effectively during and immediately after landslide events.	AO <sub>7.1</sub> Community infrastructure is not located in a landslide hazard area (as identified in the Landslide Hazard Overlay Maps). OR AO <sub>7.2</sub> The community infrastructure development does not: (a) result in any new building work other than an addition to an existing building; (b) involve vegetation clearing; or (c) alter ground levels or stormwater conditions. OR AO <sub>7.3</sub> The development includes measures that ensure: (a) the long term stability of the site; (b) access to the site will not be impeded by a landslide event; and (c) the community infrastructure will not be adversely affected by landslides originating on sloping land above the site.	<b>Not applicable.</b> The proposed development does not involve community infrastructure.

Toowoomba Regional Planning Scheme 2012 (v28.0)

Landslide Hazard Overlay Code – assessment benchmarks for assessable development

Performance outcomes

Acceptable outcomes

Compliance summary

Figure 8.2.4:1 – Preferred Form of Development

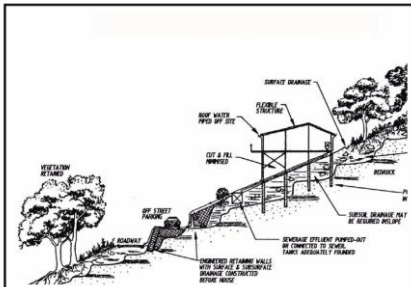
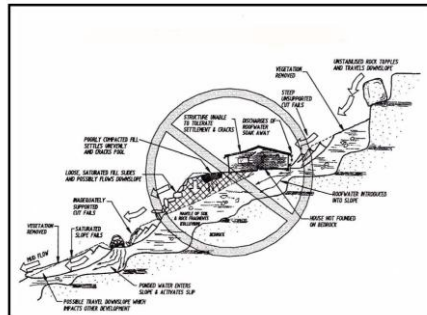


Figure 8.2.4:2 – Inappropriate Form of Development



**Toowoomba Regional Planning Scheme 2012 (v28.0)**

**Flood Hazard Overlay Code – requirements for accepted development and assessment benchmarks for assessable development**

Performance outcomes	Acceptable outcomes	Compliance summary
<b>Development in Flood islands only</b>		
<p>PO<sub>1</sub> Development involving a vulnerable use is not located in a flood island area.</p> <p>Note: This is the only performance criterion in Table 8.2.3.1 applicable to development in a flood island area.</p>	<p>AO<sub>1.1</sub> Vulnerable uses are not located within a flood island area.</p>	<p><b>N/A:</b> The site is not located within a Flood Island Area.</p>
<b>Material change of use (Home based business only)</b>		
<p>PO<sub>2</sub> Development ensures occupants and property avoid areas of intolerable risk, and otherwise are prepared for and resilient to flood events.</p>	<p>AO<sub>2.1</sub> Development is not located in the FR4 or FR3 flood risk areas or the OFP2 (high) overland flow path area.</p> <p>AO<sub>2.2</sub> Materials stored on site:</p> <ul style="list-style-type: none"> <li>(a) are those that are readily able to be moved in a flood event; and</li> <li>(b) where capable of creating a safety hazard by being shifted by flood waters, are contained in order to minimise movement in times of flood.</li> </ul> <p>Editor's Note – Businesses should ensure that necessary emergency and continuity plans are in place to account for the potential need to evacuate personnel and to relocate property prior to a flood event (e.g. to allow enough time to transfer stock to the upstairs level of a building or off-site).</p>	<p><b>N/A:</b> The proposed development is for Reconfiguring a Lot.</p>
<b>Rearrangement of Boundaries</b>		
<p>PO<sub>3</sub> Development layout does not increase the risk to existing or future people, property or infrastructure located on the premises or other premises.</p>	<p>AO<sub>3.1</sub> Development ensures there is sufficient area outside the FR4 and FR3 flood risk areas and the OFP2 (high) overland flow path area to accommodate the intended use(s).</p> <p>AO<sub>3.2</sub> Development ensures that building envelopes are located in an area other than the FR4 and</p>	<p><b>N/A:</b> The site is not located within FR4, FR3 or OFP2 areas.</p> <p><b>N/A:</b> Refer to response to AO<sub>3.1</sub>.</p>

**Toowoomba Regional Planning Scheme 2012 (v28.0)**

**Flood Hazard Overlay Code – requirements for accepted development and assessment benchmarks for assessable development**

Performance outcomes	Acceptable outcomes	Compliance summary
	<p>FR3 flood risk areas and the OFP2 (high) overland flow path area.</p> <p>AO<sub>3.3</sub> Development ensures that the entry points into the development are located to provide a safe and clear evacuation route path that meets the requirements of Table 8.2.3.6 during floods up to the Defined Flood Event.</p>	<p><b>Complies:</b> The proposed lots can be provided with entry points that comply with the requirements of Table 8.2.3.6.</p>
<b>Resilient Built Form (all other development, including Dwelling house and Dual Occupancy)</b>		
<p>PO<sub>4</sub> Development is resilient to flood events by ensuring design and built form account for the potential risks of flooding, such that buildings are:</p> <ul style="list-style-type: none"> <li>(a) located to avoid the risk to occupants and minimise the risk of property damage;</li> <li>(b) developed in accordance with the overall outcomes of an applicable Flood Management Precinct;</li> <li>(c) capable of withstanding the flood hazard through compliance with flood planning level requirements and the relevant building assessment provisions.</li> </ul> <p>Note: New buildings may require a structural engineering design capable of withstanding the nature of the hazard(s) to which the building will be subject consistent with the requirements of the relevant building assessment provisions. Refer to section 1.6 for more information.</p>	<p>AO<sub>4.1</sub> Buildings are not located in the FR4 or FR3 flood risk areas.</p> <p>Editor's Note – Development that cannot comply with this acceptable outcome will require assessment by Council.</p> <p>AO<sub>4.2</sub> Buildings in a Flood Management Precinct are developed in accordance with the overall outcomes of that precinct.</p> <p>Editor's Note – Development that cannot comply with this acceptable outcome will require assessment by Council.</p> <p>AO<sub>4.3</sub> Buildings in a flood risk area:</p> <ul style="list-style-type: none"> <li>(a) of a residential nature provide a finished habitable floor level located, designed and constructed to at least the flood planning level specified in table 8.2.3.3 and designed in accordance with the relevant building assessment provisions;</li> <li>(b) of a non-residential nature provide a finished floor level located, designed and constructed to at least the flood planning level specified in table 8.2.3.3 and designed in accordance with the relevant building assessment provisions; and</li> </ul>	<p><b>N/A:</b> The proposed development is for Reconfiguring a Lot.</p>

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**Flood Hazard Overlay Code – requirements for accepted development and assessment benchmarks for assessable development**

Performance outcomes	Acceptable outcomes	Compliance summary
	<p>(c) where utilising pier and pole construction, if understorey screening is provided it is a minimum of 50% permeable to allow for the flow of flood water through the understorey.</p> <p>Note: The Queensland Government Fact Sheet 'Rebuilding after a flood' provides information about water resilient products and building techniques.</p> <p>Note: New buildings may require a structural engineering design capable of withstanding the nature of the hazard(s) to which the building will be subject consistent with the requirements of the relevant building assessment provisions. Refer to section 1.6 for more information.</p> <p>AO<sub>4.4</sub> Buildings in an overland flow path area provide a finished habitable floor level located, designed and constructed to at least the overland flow planning level specified in table 8.2.3.4.</p>	
<p>PO<sub>5</sub> Development does not worsen flooding on adjacent properties.</p>	<p>AO<sub>5.1</sub> Earthworks in the FR4, FR3, FR2 or FR1 flood risk areas or the OFP1 (low) overland flow path area or OFP2 (high) overland flow path area do not worsen flood flows or drainage on adjacent properties.</p> <p>Note: A report should be provided from an RPEQ certified professional indicating the proposed earthworks will not increase flood flows or drainage upstream or downstream of the proposed development. For the avoidance of doubt, RPEQ certification is not required for development in the FR1 or Balance (mixed) flood risk areas or the OFP1 overland flow area.</p>	<p><b>N/A:</b> The proposed development is for Reconfiguring a Lot.</p>

**Toowoomba Regional Planning Scheme 2012 (v28.0)**

**Flood Hazard Overlay Code – assessment benchmarks for assessable development**

Performance outcomes	Acceptable outcomes	Compliance summary
<b>Development in Flood islands only</b>		
PO <sub>1</sub> Development involving a vulnerable use is not located in a flood island area.  Note: This is the only performance criterion in Table 8.2.3.1 applicable to development in a flood island area.	AO <sub>1.1</sub> Vulnerable uses are not located within a flood island area.	<b>N/A:</b> The site is not located within a Flood Island Area.
<b>Risk-compatible Land Use</b>		
PO <sub>2</sub> Development is compatible with the level of risk associated with the natural hazard, such that: (a) vulnerable uses are not located in the Vulnerable Uses Restriction Area; (b) all other uses within the: (i) FR4 flood risk area are limited to non-urban uses; (ii) FR3 flood risk area are consistent with the intent of any underlying Flood Management Precinct or otherwise are limited to non-urban uses; (iii) FR2 flood risk area, FR1 flood risk area, Balance (mixed) flood risk area or OFP1(low) overland flow path area are consistent with the overall outcomes of the relevant zone or any Flood Management Precinct.  Note: Non-urban uses can include Rural activities, sport and recreation activities such as Outdoor sport and recreation or Park, and conservation activities such as Permanent plantation. It does not include tourism activities such as Nature based tourism or Tourist park, or residential activities of	No acceptable outcome provided.	<b>N/A:</b> The proposed development is for Reconfiguring a Lot.

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Performance outcomes	Acceptable outcomes	Compliance summary
any type (including Relocatable home park or Short term accommodation). Building work in the FR4 and FR3 areas should be avoided wherever possible.		
<b>Resilient Built Form</b>		
<p>PO<sub>3</sub> Development is resilient to flood events by ensuring design and built form account for the potential risks of flooding, such that it is:</p> <ul style="list-style-type: none"> <li>(a) located to avoid the risk to occupants and minimise the risk of property damage;</li> <li>(b) developed in accordance with the overall outcomes of an applicable Flood Management Precinct;</li> <li>(c) capable of withstanding the flood hazard through compliance with flood planning level requirements and the relevant building assessment provisions.</li> </ul> <p>Note: New buildings may require a structural engineering design capable of withstanding the nature of the hazard(s) to which the building will be subject consistent with the requirements of the relevant building assessment provisions. Refer to section 1.6 for more information.</p>	<p>AO<sub>3.1</sub> Buildings are not located in the FR4 or FR3 flood risk areas.</p> <p>AO<sub>3.2</sub> Buildings in a Flood Management Precinct are developed in accordance with the overall outcomes of that precinct.</p> <p>AO<sub>3.3</sub> Buildings in a flood risk area:</p> <ul style="list-style-type: none"> <li>(a) of a residential nature provide a finished habitable floor level located, designed and constructed to at least the flood planning level specified in table 8.2.3.3 and designed in accordance with the relevant building assessment provisions;</li> <li>(b) of a non-residential nature provide a finished floor level located, designed and constructed to at least the flood planning level specified in table 8.2.3.3 and designed in accordance with the relevant building assessment provisions.</li> </ul> <p>Note: The Queensland Government Fact Sheet 'Rebuilding after a flood' provides information about water resilient products and building techniques.</p> <p>Note: New buildings may require a structural engineering design capable of withstanding the nature of the hazard(s) to which the building will be subject consistent with the requirements of the relevant building assessment provisions. Refer to section 1.6 for more information.</p>	<p><b>N/A:</b> The proposed development is for Reconfiguring a Lot.</p>

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Performance outcomes	Acceptable outcomes	Compliance summary
	AO <sub>3.4</sub> Buildings in an overland flow path area provide a finished habitable floor level located, designed and constructed to at least the overland flow planning level specified in table 8.2.3.4.	
PO <sub>4</sub> Development ensures that a use which requires an interface with the public realm, (including a commercial or residential use), maintains a functional and attractive relationship with the adjacent street frontage.	AO <sub>4.1</sub> Development for a residential use where pier and pole construction is utilised: (a) if understorey screening is provided it is a minimum of 50% permeable to allow for the flow of flood water through the understorey.  AO <sub>4.2</sub> Development for a commercial building or structure maintains an active street frontage through: (a) providing clear pedestrian access from any adjacent footpath to the floor level of the commercial activity; (b) providing a retail or food and beverage use, if consistent with the overall outcomes of the applicable zone and precinct, which interfaces with and overlooks the street; (c) urban design treatments which screen the understorey of the building from view from the adjacent street frontage but do not impede flood flow.	<b>N/A:</b> The proposed development is for Reconfiguring a Lot.
<b>Siting of Development for Reconfiguring a Lot</b>		
PO <sub>5</sub> Development siting and layout in a flood risk area responds to flooding potential and maintains personal safety at all times, such that:	AO <sub>5.1</sub> Development is avoided on that part of any land within the FR4, FR3 or FR2 flood risk areas, or	<b>N/A:</b> The site is not located within FR4, FR3 or FR2 areas of the Flood Management Precinct.

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Performance outcomes	Acceptable outcomes	Compliance summary
<p>(a) subdivision of land occurs consistent with the overall outcomes of any applicable Flood Management Precinct;</p> <p>(b) lots for urban purposes provide a ground level above the Defined Flood Event;</p> <p>(c) rural and rural residential lots provide sufficient area outside the Defined Flood Event to accommodate the required minimum lot size;</p> <p>(d) lots (excluding balance or common property lots) on a building format plan under the Land Title Act 1994 which is subject to a community titles scheme under the Body Corporate and Community Management Act 1997 and associated with a material change of use are located above the Defined Flood Event.</p>	<p>otherwise as specified in the overall outcomes of a Flood Management Precinct.</p> <p>AO<sub>5.2</sub> Development complies with the filling requirements of table 8.2.3.5.</p> <p>AO<sub>5.3</sub> Development in a greenfield area protects a flood conveyance area by providing an easement or reserve over the area of the premises up to the Defined Flood Event to be retained for the purposes of reserve or Park.</p>	<p><b>N/A:</b> The proposed development will not involve any filling.</p> <p><b>N/A:</b> The site is not located within a greenfield area.</p>
<p>PO<sub>6</sub> Development siting and layout in an overland flow path area accommodates the flow path characteristics and minimises the risk to persons, property and infrastructure both on site and external to the site.</p>	<p>AO<sub>6.1</sub> Development:</p> <p>(a) for urban purposes avoids maintaining overland flow paths in private ownership;</p> <p>(b) for rural or rural residential purposes provides sufficient area outside the overland flow path areas to accommodate the required minimum lot size.</p> <p>OR</p> <p>AO<sub>6.2</sub> Development is in accordance with an approved site-based stormwater management plan.</p>	<p><b>N/A:</b> The site is not located within overland flow path areas.</p> <p><b>N/A:</b> Refer to response to AO<sub>6.1</sub>.</p>

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**Flood Hazard Overlay Code – assessment benchmarks for assessable development**

Performance outcomes	Acceptable outcomes	Compliance summary
<b>Access and Isolation</b>		
<p>PO<sub>7</sub> Development in a flood risk area is sited and designed such that:</p> <ul style="list-style-type: none"> <li>(a) road layout avoids isolation in a flood hazard event and does not impede evacuation;</li> <li>(b) vehicular access during a flood hazard event is enabled;</li> <li>(c) provision is made for on-site sheltering during a flood event; and</li> <li>(d) signage is utilised to ensure that community members have a clear understanding of the nature of the flood risk in the area.</li> </ul>	<p>AO<sub>7.1</sub> Road and/or pathway layout within the development provides a safe and clear evacuation path:</p> <ul style="list-style-type: none"> <li>(a) to ensure persons are not physically isolated from an adjacent flood-free urban area;</li> <li>(b) by locating entry points into the reconfiguration above the Defined Flood Event and avoiding cul-de-sacs or other non-permeable layouts; and</li> <li>(c) in the form of at least one (1) evacuation route that meets the requirements of Table 8.2.3.6 during floods up to the Defined Flood Event.</li> </ul> <p>AO<sub>7.2</sub> An area is available within the development site at or above the flood planning level with sufficient space to accommodate the likely population of the development in safety for a relatively short time until flash flooding subsides or people can be evacuated.</p> <p>AO<sub>7.3</sub> Development ensures that:</p> <ul style="list-style-type: none"> <li>(a) signage is provided on a road or pathway indicating the position and path of all safe evacuation routes off the premises;</li> <li>(b) if the premises contains or is within 100m of a waterway, hazard warning signage and depth indicators are provided at each key hazard point, such as at a waterway crossing or an entrance to a low-lying reserve.</li> </ul>	<p><b>N/A:</b> The proposed development does not involve the construction of any roads or pathways.</p> <p><b>Complies:</b> There is sufficient area within each lot to accommodate the expected population in a flood free area during a flood event.</p> <p><b>N/A:</b> The proposed development is not of a nature that warrants the provision of flood warning signage.</p>

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**Flood Hazard Overlay Code – assessment benchmarks for assessable development**

Performance outcomes	Acceptable outcomes	Compliance summary
<b>Flood Storage and Conveyance</b>		
<p>PO<sub>8</sub> Development complies with the requirements of table 8.2.3.5 and does not change the flood characteristics of the area, taking account of the cumulative impact of development, outside the site in ways that result in:</p> <ul style="list-style-type: none"> <li>(a) loss of flood or overland flow storage/conveyance;</li> <li>(b) loss of or changes to flow paths;</li> <li>(c) acceleration or retardation of flows;</li> <li>(d) increase in the depth or duration of flood or overland flow waters; or</li> <li>(e) any reduction in flood warning times elsewhere on the floodplain.</li> </ul> <p>Note: To demonstrate achievement of the performance outcome, an engineering report is to be prepared by a suitably qualified person. Guidance on the matters to be addressed in the report is provided in the Planning scheme policy No.1 – Development application requirements.</p>	<p>No acceptable outcome provided.</p>	<p><b>Complies:</b> The proposed development does not involve any physical changes to the site and accordingly, will not result in any changes to the flood characteristics of the site.</p>
<b>Emergency Management and Business Continuity</b>		
<p>PO<sub>9</sub> Development supports, and does not unduly burden, disaster management responses and recovery capacity and capabilities for a flood hazard event up to and including the Defined Flood Event or the Overland Flow Event.</p>	<p>AO<sub>9.1</sub> Development enables or does not hinder or complicate self-evacuation of persons, and ensures sufficient warning time for the nature of the use.</p> <p>AO<sub>9.2</sub> Materials stored on site:</p> <ul style="list-style-type: none"> <li>(a) are not located within the FR4 and FR3 flood risk areas or the OFF2 (high) overland</li> </ul>	<p><b>Complies:</b> The proposed development is not of a nature that will result in impacts to the self-evacuation of persons on site noting the development is for a Boundary Realignment and does not result in any physical changes to the site.</p> <p><b>N/A:</b> the proposed development will not result in the storage of any materials on-site.</p>

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Performance outcomes	Acceptable outcomes	Compliance summary
	<p>flow path area, and otherwise are those that are readily able to be moved in a flood event; and</p> <p>(b) where capable of creating a safety hazard by being shifted by flood waters, are contained in order to minimise movement in times of flood.</p> <p>Editor's Note – Businesses should ensure that necessary emergency and continuity plans are in place to account for the potential need to evacuate personnel and to relocate property prior to a flood event (e.g. to allow enough time to transfer stock to the upstairs level of a building or off-site).</p>	
<b>Hazardous Materials</b>		
<p>PO<sub>10</sub> Development not in the FR4 or FR3 flood risk areas or the OFP2 (high) overland flow path area ensures public safety and the environment are not adversely affected by the detrimental impacts of floodwater on hazardous materials manufactured or stored in bulk.</p>	<p>AO<sub>10.1</sub> Development ensures:</p> <p>(a) the manufacture or storage in bulk of hazardous materials is located at least above the flood planning level in Table 8.2.3.3 or the overland flow planning level in Table 8.2.3.4 (whichever is applicable); or</p> <p>(b) structures used for the manufacture or storage of hazardous materials in bulk are designed to prevent the intrusion of floodwaters.</p> <p>Note: Refer to the <i>Work Health and Safety Act 2011</i> and associated Regulation and Guidelines, the <i>Environmental Protection Act 1994</i> and the relevant building assessment provisions under the <i>Building Act 1975</i> for requirements related to the manufacture and storage of hazardous substances.</p>	<p><b>N/A:</b> The proposed development does not involve the storage of hazardous materials on-site.</p>

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**Flood Hazard Overlay Code – assessment benchmarks for assessable development**

Performance outcomes	Acceptable outcomes	Compliance summary
<b>Infrastructure</b>		
PO <sub>11</sub> Essential services infrastructure within a site (including electricity, gas, water supply, wastewater and telecommunications) is located outside the FR4 and FR3 flood risk areas and the OFP2 (high) overland flow path area or maintains its function during and immediately after flood events.	AO <sub>11.1</sub> Any components of the infrastructure that are likely to fail to function or may result in contamination when inundated by flood water (e.g. electrical switchgear and motors, water supply pipeline air valves) are: <ul style="list-style-type: none"> <li>(a) located outside the FR4 and FR3 flood risk areas or OFP2 (high) overland flow path area; and</li> <li>(b) located above the flood planning level in Table 8.2.3.3 or the overland flow planning level in Table 8.2.3.4 (whichever is applicable); or</li> <li>(c) designed and constructed to exclude floodwater intrusion/infiltration.</li> </ul> AO <sub>11.2</sub> Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by all flood events.	<b>N/A:</b> The proposed development does not involve the provision of infrastructure.
<b>Community Infrastructure</b>		
PO <sub>12</sub> Development involving community infrastructure:	No acceptable outcome provided.	<b>N/A:</b> The proposed development does not involve the provision of community infrastructure.

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**Flood Hazard Overlay Code – assessment benchmarks for assessable development**

Performance outcomes	Acceptable outcomes	Compliance summary
<ul style="list-style-type: none"> <li>(a) is not located within a flood risk area, flood island or the OFP2 (high) overland flow path area if it involves a vulnerable use;</li> <li>(b) remains functional to serve community need during and immediately after a flood event;</li> <li>(c) retains essential site access during a flood event such that the following uses have direct access to low hazard evacuation routes as defined in Table 8.2.3.6:               <ul style="list-style-type: none"> <li>(i) a vulnerable use located outside the Vulnerable Uses Restriction Area;</li> <li>(ii) substation;</li> <li>(iii) utility installations involving water and sewerage treatment plants</li> </ul> </li> <li>(d) is able to remain functional even when other infrastructure or services may be compromised in a flood event.</li> </ul>		

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**Reconfiguring a Lot Code – Requirements for accepted development and assessment benchmarks for assessable development**

Performance outcomes	Acceptable outcomes	Compliance summary
<p>PO<sub>1</sub> The lots resulting from the rearrangement of boundaries does not contribute to:</p> <ul style="list-style-type: none"> <li>(a) the proliferation of lots of rural land fragmentation; or</li> <li>(b) the potential to introduce uses or activities which conflict with the intent of the applicable zone for all or part of the site.</li> </ul>	<p>AO<sub>1.1</sub> No additional lots are created by the rearrangement of boundaries.</p> <p>AO<sub>1.2</sub> The resulting lots from rearranging boundaries are contained entirely within a single zone.</p>	<p><b>Complies:</b> The proposed development does not involve the creation of any new lots.</p> <p><b>Complies:</b> The proposed lots are wholly located within the Rural Zone.</p>
<p>PO<sub>2</sub> Lots resulting from rearrangement of boundaries do not require any new or additional infrastructure connections, or modification of existing connections.</p>	<p>AO<sub>2.1</sub> All lots resulting from rearrangement of boundaries:</p> <ul style="list-style-type: none"> <li>(a) retain all existing connections to water, sewer, electricity and other infrastructure wholly within the lot they serve;</li> <li>(b) do not require additional infrastructure connections or augmentation of existing connections;</li> <li>(c) except where in the Rural Zone, have sealed vehicle crossovers;</li> <li>(d) have stormwater drainage for lots 4000m<sup>2</sup> or less:               <ul style="list-style-type: none"> <li>(i) connected to adequately sized inter-allotment drainage; or</li> <li>(ii) that drains the entirety of each lot independently without fill to the kerb and channel or swale of the road frontage.</li> </ul> </li> </ul>	<p><b>Complies:</b> The proposed lots will retain existing connection to electricity and telecommunications infrastructure. It is noted that the other provisions of AO<sub>2.1</sub> are not relevant in this instance.</p>
<p>PO<sub>3</sub> Where in the rural zone, all lots resulting from rearrangement of boundaries are provided with all weather road access from the driveway crossover to the nearest formed road.</p>	<p>AO<sub>3.1</sub> Where in the rural zone, all lots resulting from rearrangement of boundaries are provided with a formed gravel road from the driveway crossover to the nearest formed road in accordance with <i>SC6.2 PSP No.2 Engineering Standards – Roads and Drainage Infrastructure</i>.</p>	<p><b>Complies:</b> The proposed boundary realignment seeks to ensure that the existing access arrangements for Proposed Lot 8 are maintained. Proposed Lot 9 has been designed to ensure that it can be provided with a suitable access as part of future development.</p>

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**Reconfiguring a Lot Code – Requirements for accepted development and assessment benchmarks for assessable development**

Performance outcomes	Acceptable outcomes	Compliance summary
<b>Lot Sizes and Design</b>		
<p>PO<sub>4</sub> All new lots provide sufficient area, frontage and dimensions, and road access that enable their future development to achieve relevant outcomes in applicable Use, Zone, Overlay, and Other Development Codes in relation to:</p> <ul style="list-style-type: none"> <li>(a) dwellings, buildings and/or other structures</li> <li>(b) setbacks ;</li> <li>(c) landscaping;</li> <li>(d) on site car parking and vehicle access;</li> <li>(e) recreation areas (private open space);</li> <li>(f) cultural heritage and character streetscape values;</li> <li>(g) other design criteria.</li> </ul> <p><b>Editors note:</b></p> <ul style="list-style-type: none"> <li>i. Setback considerations include solar access, privacy and amenity of residents and adjoining neighbours, on-site effluent disposal.</li> <li>ii. A building envelope may demonstrate suitability to accommodate future development.</li> </ul>	<p>AO<sub>4.1</sub> All lots are rectangular and have minimum width to depth ratios, areas, dimensions and frontages as prescribed in Table 9.4.5:4.</p> <p>AO<sub>4.2</sub> Where in the Low Medium Density Residential Zone development for lots 450m<sup>2</sup> or less in area are capable of accommodating a rectangular building envelope with area and dimensions for:</p> <ul style="list-style-type: none"> <li>(a) a dwelling, including ancillary buildings and structures such as garages, covered carports and decks, that comply with the minimum setback requirements of the overlay or zone in which the land is located and building regulations;</li> <li>(b) private open space and recreation areas;</li> <li>(c) vehicle access and on-site car parking in accordance with the Transport, Access and Parking Code.</li> </ul>	<p><b>Performance Solution:</b> The proposed development involves the creation of lots with areas less than 100ha. To this end it is noted that the development increases the overall productive capacity of the land by consolidating a significant portion of the land into a larger lot (i.e. Proposed Lot 8). The proposed lots have been designed to ensure that both lots can be provided with safe road access to Pierces Creek Road.</p>

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Reconfiguring a Lot Code – assessment benchmarks for assessable development

Performance outcomes	Acceptable outcomes	Compliance summary
<b>Master Planning</b>		
<p>PO<sub>1</sub> Except where in the Rural Zone (other than where in the Heinemann Road Transport Precinct) Limited Development (Constrained Land) Zone, Community Facilities Zone, Open Space Zone or Recreation Zone, development:</p> <ul style="list-style-type: none"> <li>(a) occurs in a logical pattern and sequence;</li> <li>(b) is of a scale and density that facilitates an efficient land use pattern and facilitates a mix of lot sizes that provide for a range of residential dwelling choices;</li> <li>(c) is designed to create compact and walkable neighbourhoods that are well connected to employment nodes, centres, open space and recreational areas, community services and educational opportunities;</li> <li>(d) creates a high quality streetscape and public open space network with connected public spaces and parks;</li> <li>(e) appropriately responds to constraints and natural values and mitigates any adverse impacts on areas of ecological significance;</li> <li>(f) is provided with all necessary infrastructure networks and is well serviced by community facilities; and</li> <li>(g) creates lots which are suitable for their intended use without requiring significant earthworks.</li> </ul>	<p>AO<sub>1.1</sub> A Master Plan is prepared in accordance with SC6.4 PSP No. 4 Master Planning.</p>	<p><b>N/A:</b> The proposed development is not of a scale that warrants the provision of a Master Plan.</p>

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**Reconfiguring a Lot Code – assessment benchmarks for assessable development**

Performance outcomes	Acceptable outcomes	Compliance summary
<b>General</b>		
<p>PO<sub>2</sub> The layout of streets, lots and infrastructure gives the locality a strong and positive identity by:</p> <ul style="list-style-type: none"> <li>(a) responding to site characteristics, settings, landmarks, places of cultural heritage significance and views;</li> <li>(b) creating legible and interconnected movement and open-space networks;</li> <li>(c) locating community, retail, commercial and public transport facilities at focal points within convenient, safe and direct walking distance for residents/users; and</li> <li>(d) providing connections to existing facilities, services and movement networks in the surrounding area.</li> </ul>	<p>Where included in a local plan:</p> <p>AO<sub>2.1</sub> Neighbourhood design and lot layout is consistent with the requirements of any local plan.</p> <p>All other circumstances:</p> <p>No acceptable outcome provided.</p>	<p><b>N/A:</b> The site is not located within a Local Plan.</p>
<p>PO<sub>3</sub> The layout of streets, lots and infrastructure responds appropriately to environmental features of the site or locality by:</p> <ul style="list-style-type: none"> <li>(a) following the natural topography;</li> <li>(b) protecting and promoting views of landscape features, significant ridgelines, mountains, hills, rocky outcrops or other geological formations;</li> <li>(c) minimising the need for earthworks;</li> <li>(d) minimising vegetation loss and/or fragmentation;</li> <li>(e) maintaining natural drainage features and floodways;</li> <li>(f) maintaining important wildlife corridors and habitat areas;</li> </ul>	<p><i>In partial fulfilment of the performance outcome:</i></p> <p>AO<sub>3.1</sub> A lot with an area of less than 450m<sup>2</sup> intended to be used for a dwelling house has a natural slope:</p> <ul style="list-style-type: none"> <li>(a) across the width of the lot not exceeding 10%; and</li> <li>(b) along the length of the lot not exceeding 5%.</li> </ul>	<p><b>N/A:</b> The proposed development does not involve the creation of an allotment with an area less than 450m<sup>2</sup>.</p>

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**Reconfiguring a Lot Code – assessment benchmarks for assessable development**

Performance outcomes	Acceptable outcomes	Compliance summary
<ul style="list-style-type: none"> <li>(g) providing for adequate buffering of (d), (e) and (f);</li> <li>(h) protecting and maintaining areas of indigenous cultural significance; and</li> <li>(i) connecting streets and open space to existing streets and open space on adjoining land as necessary for the orderly development of the precinct.</li> </ul>		
<p>PO<sub>4</sub> Street blocks and lot types are generally rectilinear and arranged to provide:</p> <ul style="list-style-type: none"> <li>(a) an efficient neighbourhood pattern, that supports walking cycling and public transport use;</li> <li>(b) the highest densities are located around open space, amenity features or other focal points; and</li> <li>(c) a mix of lot sizes which provide a wide choice in affordable and accessible housing and achieve streetscape variety.</li> </ul>	<p><i>In partial fulfilment of the performance outcome</i></p> <p>AO<sub>4.1</sub> Subdivision involving the creation of lots for residential use ensures lots within the block are arranged so that:</p> <ul style="list-style-type: none"> <li>(a) there are between four (4) and six (6) adjoining attached (terrace or row) house lots in a group (to enable group housing construction and integrated streetscape solution);</li> <li>(b) there are no more than eight (8) narrow frontage (less than 15m) lots in a row;</li> <li>(c) there are no more than four (4) lots with a width of 7.5m or less in a row unless serviced by a rear lane; and</li> <li>(d) there are no minor mismatches (e.g. less than 1m) in the rear corner lot boundaries of adjoining lots (to minimise the risk of set out error);</li> </ul> <p>AO<sub>4.2</sub> Subdivision involving the creation of lots for residential use ensures lots with access to a laneway intended to accommodate more than one dwelling have a:</p> <ul style="list-style-type: none"> <li>(a) minimum width of 7.5m; and</li> </ul>	<p><b>N/A:</b> The proposed development is for a Boundary Realignment.</p>

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Performance outcomes	Acceptable outcomes	Compliance summary
	(b) minimum depth of 30m. AO <sub>4.3</sub> Street blocks fronting local streets do not exceed 100m in length.	
PO <sub>5</sub> Reconfiguration avoids risk to human safety and the environment from natural hazards and contaminated land.	<i>In partial fulfilment of the performance outcome</i> AO <sub>5.1</sub> Where contamination is suspected (e.g. former dips, industrial sites), provide a preliminary contamination report for Residential or Rural Residential subdivisions.	<b>N/A:</b> The site is not suspected of being contaminated.
PO <sub>6</sub> The development is integrated with the surrounding urban or rural environment, having regard to:  (a) the layout and dimensions of streets and lots; (b) connections to surrounding streets and pedestrian and cycle networks and other infrastructure networks; (c) provision for shared use of public facilities; (d) open space networks, retained habitat areas or corridors, landscape features and views and vistas; and (e) connections to centres.	No acceptable solution is nominated.	<b>Performance Solution:</b> The proposed lot layout has been designed to ensure that the development integrates with the established rural character of the surrounding locality.
PO <sub>7</sub> In a reconfiguration that involves the creation of a new street (other than in a Rural Zone or the Rural Residential Zone) streetscape and landscape treatments are provided that:  (a) create an attractive and legible environment with a clear character and identity; (b) use and highlight features of the site such as views, vistas, existing vegetation, landmarks and places of cultural heritage significance;	No acceptable solution is nominated.	<b>N/A:</b> The proposed development does not involve the creation of a new road.

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**Reconfiguring a Lot Code – assessment benchmarks for assessable development**

Performance outcomes	Acceptable outcomes	Compliance summary
<ul style="list-style-type: none"> <li>(c) enhance safety and comfort, and meet user needs;</li> <li>(d) complement the function of the street in which they are located by reinforcing desired traffic speed and behaviour;</li> <li>(e) assist integration with the surrounding environment;</li> <li>(f) maximise infiltration of stormwater runoff; and</li> <li>(g) minimise maintenance costs through:               <ul style="list-style-type: none"> <li>(i) street pavement, parking bays and speed control devices;</li> <li>(ii) street furniture, shading, lighting and utility installations;</li> <li>(iii) retention of existing vegetation; and</li> <li>(iv) on street planting.</li> </ul> </li> </ul>		
PO <sub>8</sub> Neighbourhood design and lot mix provides sufficient opportunities for community, retail, commercial and other uses to meet community needs, where this is consistent with the intended character of the zone or precinct in which the land is located and appropriate to the size of development.	No acceptable outcome is nominated.	<b>N/A:</b> The proposed lots are located within a rural area.
PO <sub>9</sub> Reconfigurations within the Low-medium Density Residential Zone and the Emerging Community Zone contribute to housing diversity and different levels of affordability to meet community needs by incorporating a mix of residential lot sizes drawing from the following lot types: <ul style="list-style-type: none"> <li>(a) Traditional: A traditional lot caters for large dwelling houses, typically on lots with a</li> </ul>	AO <sub>9.1</sub> Reconfigurations incorporate the lot types identified in the performance outcome as follows: <ul style="list-style-type: none"> <li>(a) reconfigurations creating between 10 and 50 additional lots incorporate a mix of at least two (2) different lot types; and</li> </ul>	<b>N/A:</b> The proposed development is for a 2 into 2 Lot Boundary Realignment.

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Performance outcomes	Acceptable outcomes	Compliance summary
<p>frontage of up to 20m and depth of 30m to 32m for single storey dwelling houses and 25m for two (2) storey dwelling houses.</p> <p>(b) Multi-family: A multi-family lot allows for small multiple dwellings (typically four (4) to six (6) dwellings). Multiple dwellings on multi-family lots contribute significantly to diversity within a neighbourhood. Multi-family lots will typically be provided on-street corners to reduce the negative impact of rows of garage doors.</p> <p>(c) Courtyard: A courtyard lot has an area between 375m<sup>2</sup> and 480m<sup>2</sup> and comfortably accommodates a smaller detached dwelling house on a lot with a frontage of approximately 15m.</p> <p>(d) Villa: A villa lot has an area between 250m<sup>2</sup> and 320m<sup>2</sup> and accommodates a smaller dwelling house on a lot with a frontage of approximately 10m. It is suited to the housing needs of an increasing number of one and two person households. A dwelling house on a villa lot is detached but usually built to one side boundary of the lot.</p>	<p>(b) reconfigurations creating more than 50 additional lots incorporate a mix of at least three (3) different lot types.</p>	
<p>PO<sub>10</sub> Reconfigurations within the Low-medium Density Residential Zone achieve a residential density that makes efficient use of the land and associated physical infrastructure.</p>	<p>AO<sub>10.1</sub> Reconfigurations in the Low-medium Density Residential Zone facilitate a minimum residential density of 30 dwellings per hectare.</p>	<p><b>N/A:</b> The site is located within the Rural Zone.</p>
<p>PO<sub>11</sub> Reconfigurations within the Principal Centre Zone, Major Centre Zone, District Centre Zone or Local Centre Zone ensure an integrated, orderly and efficient development outcome is</p>	<p>No acceptable outcome is nominated.</p>	<p><b>N/A:</b> The site is located within the Rural Zone.</p>

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Performance outcomes	Acceptable outcomes	Compliance summary
achieved across all lots in respect to access to the external road network, pedestrian and vehicle movement within the site and built form and function.		
<b>Lot Sizes and Design</b>		
PO <sub>12</sub> Lot size in the Emerging Community Zone does not compromise the future development potential of the area for urban purposes.	AO <sub>12.1</sub> Lots in the Emerging Community Zone have the minimum area and frontage as shown in Table 9.4.5:4.	<b>N/A:</b> The site is located within the Rural Zone.
PO <sub>13</sub> In the Rural Zone, the productive capacity of rural land resources is protected from the reconfiguration of lots that facilitates inappropriate intensification of development in the zone.	AO <sub>13.1</sub> Lots have a minimum area as shown in Table 9.4.5:4.	<b>Performance Solution:</b> The proposed development involves the creation of lots with areas less than 100ha. To this end it is noted that the development increases the overall productive capacity of the land by consolidating a significant portion of the land into a larger lot (i.e. Proposed Lot 8). The proposed lots have been designed to ensure that both lots can be provided with safe road access to Pierces Creek Road.
<b>Movement network design</b>		
PO <sub>14</sub> The street and road network has a clear structure, with roads that conform to their function in the network, having regard to: <ul style="list-style-type: none"> <li>(a) traffic volumes, vehicle speeds and driver behaviour;</li> <li>(b) on street parking;</li> <li>(c) sight distance;</li> <li>(d) provision for public transport routes and stops;</li> <li>(e) provision for pedestrian and cyclist movement, prioritising these where appropriate;</li> </ul>	AO <sub>14.1</sub> The street and road network is consistent with SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure.	<b>N/A:</b> The proposed development does not involve the creation of any new roads.

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Performance outcomes	Acceptable outcomes	Compliance summary
(f) provision for waste collection and emergency vehicles; (g) lot access; (h) convenience; (i) public safety; (j) amenity; (k) the incorporation of public utilities and drainage; and (l) landscaping and street furniture.		
PO <sub>15</sub> The road network provides for convenient and safe movement between local streets and higher order roads.	AO <sub>15.1</sub> The proposed road network complies with SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure.	<b>N/A:</b> The proposed development does not involve the creation of any new roads.
PO <sub>16</sub> Local streets do not operate as through traffic routes for externally generated traffic (other than for pedestrians, cyclists and public transport).	No acceptable outcome is nominated.	<b>N/A:</b> The proposed development does not involve the creation of any new roads.
PO <sub>17</sub> Safe, convenient and efficient intersections are provided for vehicles, pedestrians, cyclists and public transport.	AO <sub>17.1</sub> Intersections and pedestrian and cyclist crossings are provided in accordance with SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure.	<b>N/A:</b> The proposed development does not involve the creation of any new roads or pedestrian or cyclist facilities.
PO <sub>18</sub> Access arrangements for lots do not affect the function, vehicle speeds, safety, efficiency and capacity of streets and roads.	AO <sub>18.1</sub> Access arrangements are consistent with the characteristics intended for the particular type of road or street specified in SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure.	<b>Complies:</b> The proposed lots can be provided with access in accordance with the relevant standards.
PO <sub>19</sub> On-road car parking is provided according to projected needs taking into account: (a) total parking demand; (b) car parking opportunities on lots; and (c) non-residential and external parking generators.	AO <sub>19.1</sub> On-street parking is provided in accordance with the Transport, Access and Parking Code.	<b>N/A:</b> The proposed development does not involve on-street carparking.

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Performance outcomes	Acceptable outcomes	Compliance summary
PO <sub>20</sub> The movement network facilitates efficient and cost-effective provision and maintenance of infrastructure.	AO <sub>20.1</sub> Infrastructure is provided in accordance with SC6.2 PSP No. 2 – <i>Engineering Standards – Roads and Drainage Infrastructure</i> .	<b>N/A:</b> The proposed development does not involve the creation of any new roads.
PO <sub>21</sub> Rear lanes are designed to: <ul style="list-style-type: none"> <li>(a) provide enough width to enable safe and efficient vehicle movement, including service vehicles;</li> <li>(b) have either a straight or T configuration and not be dead ends or cul-de-sacs;</li> <li>(c) enable easy and safe access into and out of garages without using doors that open into the lane;</li> <li>(d) not create a more direct through-route alternative for vehicles than the adjoining street network;</li> <li>(e) ensure rear yards of properties can be fenced for security;</li> <li>(f) ensure any rear boundary treatment or tree planting does not create concealed recesses or provide uninvited access opportunities into rear yards; and</li> <li>(g) not provide for visitor parking within the lane unless in specifically designated areas.</li> </ul>	AO <sub>21.1</sub> Rear lanes are designed in accordance with SC6.2 PSP No. 2 – <i>Engineering Standards – Roads and Drainage Infrastructure</i> .	<b>N/A:</b> The proposed development does not involve the creation of any new roads.
PO <sub>22</sub> Development does not compromise the delivery of existing or future public transport routes and encourages a highly connected local street network that enables public transport to efficiently service the area without the need to 'repeat a part of a route as part of the one trip'.	AO <sub>22.1</sub> Street networks in new developments are designed to accommodate the movements of a 14.5m long bus.	<b>N/A:</b> The proposed development does not involve the creation of any new roads.

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Performance outcomes	Acceptable outcomes	Compliance summary
<b>Road design</b>		
PO <sub>23</sub> The geometric design features of each type of road: (a) convey its primary function for all relevant design vehicle types; (b) have an adequate horizontal and vertical alignment that is not conducive to excessive speeds; (c) encourage traffic speeds and volumes to levels commensurate with road hierarchy function; and (d) ensure unhindered access by emergency vehicles.	AO <sub>23.1</sub> Design of the roads comply with the <i>SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure</i> .	<b>N/A:</b> The proposed development does not involve the creation of any new roads.
<b>Pedestrian and cyclist facilities</b>		
PO <sub>24</sub> A network of pedestrian and cycle ways is provided having regard to: (a) opportunities to link open space networks, and community facilities, including public transport stops, local activity centres and schools; (b) likely trip purpose; (c) topography; (d) cyclist and pedestrian safety; (e) cost effectiveness; (f) likely user volumes and types; (g) convenience; and (h) accessibility.	AO <sub>24.1</sub> In partial fulfilment of the performance criterion, pedestrian and cycle ways are provided in accordance with <i>SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure</i> . AO <sub>24.2</sub> Footpaths and bikeways are provided in accordance with the <i>Austrroads Guide to Road Design – Part 6A: Pedestrian and Cyclist Paths (Austrroads 2009m)</i> .	<b>N/A:</b> The proposed development does not involve pedestrian or cyclist facilities.
PO <sub>25</sub> The alignment of pedestrian paths and cycleways is designed so that they:	No acceptable outcome is nominated.	<b>N/A:</b> The proposed development does not involve pedestrian or cyclist facilities.

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Performance outcomes	Acceptable outcomes	Compliance summary
<ul style="list-style-type: none"> <li>(a) allow for the retention of trees and other significant features;</li> <li>(b) maximise the visual interest provided by views and landmarks where they exist;</li> <li>(c) do not compromise the operation of or access to other infrastructure services;</li> <li>(d) are widened at potential conflict points; and</li> <li>(e) consider CPTED principles and disability access requirements.</li> </ul>		
PO <sub>26</sub> Safe street crossings are provided for pedestrians and cyclists across major roads.	AO <sub>26.1</sub> Crossings and intersections are provided in accordance with SC6.3 PSP No 2 – <i>Engineering Standards – Roads and Drainage Infrastructure and Austroads Guide to Road Design Part 4: Intersections and Crossings: General.</i>	<b>N/A:</b> The proposed development does not involve pedestrian or cyclist facilities.
<b>Public transport</b>		
PO <sub>27</sub> The movement network caters for the extension of existing or future public transport routes to provide services that are convenient and accessible to the community.	No acceptable outcome is nominated.	<b>N/A:</b> The site is not located within an area serviced by public transport.
PO <sub>28</sub> Reconfiguration caters for the extension of public transport routes by locating the highest likely public transport 'trip generating' land uses in the vicinity of existing or potential public transport routes, where this is consistent with the intended character of the zone or precinct in which the land is located.	AO <sub>28.1</sub> Except in the rural zone and the rural residential zone, at least 90% of proposed lots are within 400m safe walking distance from an existing or potential bus route or 500m walking distance of an identified bus stop.	<b>N/A:</b> The site is not located within an area serviced by public transport.
PO <sub>29</sub> Residential densities within walking distance of existing and potential public transport stations and routes are at levels that take advantage of	No acceptable outcome is nominated.	<b>N/A:</b> The site is not located within an area serviced by public transport.

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Performance outcomes	Acceptable outcomes	Compliance summary
<p>the infrastructure where this is consistent with the intended character of the zone or precinct in which the land is located.</p>		
<b>Open Space Network</b>		
<p>PO<sub>30</sub> Neighbourhood design and lot layout provides a balanced variety of park types, including:</p> <ul style="list-style-type: none"> <li>(a) small local parks, which are designed to:               <ul style="list-style-type: none"> <li>(i) provide a small open space setting for adjoining dwellings;</li> <li>(ii) incorporate and retain existing natural features;</li> <li>(iii) incorporate landscaping to assist in creating neighbourhood identity and way-finding;</li> </ul> </li> <li>(b) neighbourhood parks, which are designed to:               <ul style="list-style-type: none"> <li>(i) be centrally located;</li> <li>(ii) support the local community's recreational needs;</li> <li>(iii) provide opportunities for community and special events;</li> </ul> </li> <li>(c) lineal or corridor parks, which are designed to:               <ul style="list-style-type: none"> <li>(i) connect with existing or planned open space in the locality;</li> <li>(ii) incorporate pedestrian and cycle paths;</li> <li>(iii) protect significant natural features;</li> <li>(iv) convey stormwater;</li> <li>(v) provide for other recreational needs when not flooded; and</li> </ul> </li> </ul>	<p>AO<sub>30.1</sub> The lot reconfiguration makes provisions for the establishment of public parks in accordance with Part 4 Local Government Infrastructure Plan.</p>	<p><b>N/A:</b> The proposed development does not involve the provision of open space.</p>

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Performance outcomes	Acceptable outcomes	Compliance summary
<ul style="list-style-type: none"> <li>(d) natural parkland areas which:               <ul style="list-style-type: none"> <li>(i) retain locally significant wetlands, remnant vegetation and habitat for fauna;</li> <li>(ii) continue ecological corridors and linkages to areas outside of the neighbourhood;</li> <li>(iii) maintain important landscape and visual quality values.</li> </ul> </li> </ul>		
<p>PO<sub>31</sub> Where provision for a public park is required in Part 4 – Local Government Infrastructure Plan the design and lot layout provides for safe and secure, well distributed and located parkland that:</p> <ul style="list-style-type: none"> <li>(a) has passive surveillance by surrounding development;</li> <li>(b) is of a suitable size, shape and topography for its function;</li> <li>(c) is located on a suitable road;</li> <li>(d) is highly accessible to local communities; and</li> <li>(e) achieves an acceptable standard of flood immunity.</li> </ul>	<p>AO<sub>31.1</sub> The public park meets the requirements of section 4.5.5 of the planning scheme.</p> <p>AO<sub>31.1</sub> The public park meets the standards identified in Table 9.4.5:3.</p>	<p><b>N/A:</b> The proposed development does not involve the provision of open space.</p>
<p>PO<sub>32</sub> Neighbourhood design and lot layout provides for safe and secure, well distributed and located parkland that:</p> <ul style="list-style-type: none"> <li>(a) provides a clear relationship between the public realm and adjoining land uses through treatment including alignment, fencing and landscaping;</li> </ul>	<p>No acceptable outcome is nominated.</p>	<p><b>N/A:</b> The proposed development does not involve the provision of open space.</p>

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Performance outcomes	Acceptable outcomes	Compliance summary
<ul style="list-style-type: none"> <li>(b) enhances the area's local identity and landscape amenity;</li> <li>(c) provides for a range of recreational opportunities to meet community needs;</li> <li>(d) forms a linkage to existing parkland or habitats;</li> <li>(e) respects and retains existing natural elements; and</li> <li>(f) protects biodiversity values and features.</li> </ul>		
<b>Amenity</b>		
PO <sub>33</sub> Reconfiguration provides for sufficient buffering to minimise impacts on accommodation activities and other sensitive land uses from nearby incompatible uses.	No acceptable outcome is nominated.	<b>Performance Solution:</b> The proposed lots are of a sufficient size which ensure sufficient buffering can be provided if required.
PO <sub>34</sub> The layout of lots created for industrial or commercial purposes facilitates the siting and design of development in a manner that ensures the amenity of accommodation activities and sensitive land uses is protected.	No acceptable outcome is nominated.	<b>N/A:</b> The proposed lots are not intended for industrial or commercial purposes.
PO <sub>35</sub> Where reconfiguring a lot on land in the Low-medium Density Residential Zone, Low Density Residential Zone or Rural Residential Zone that is within 250m of land within the Medium Impact Industry Zone or 500m of land within the High Impact Industry Zone it must not result in future sensitive uses within the site being exposed to industrial air, noise or odour emissions that impact on human health, amenity and wellbeing.	AO <sub>35.1</sub> Where reconfiguring a lot on land in the Low-medium Density Residential Zone, Low Density Residential Zone or Rural Residential Zone that is within 250m of land within the Medium Impact Industry Zone or 500m of land within the High Impact Industry Zone, it is demonstrated that a future sensitive use on proposed lots can meet: <ul style="list-style-type: none"> <li>(a) the indoor noise objectives set out in the <i>Environmental Projection (Noise) Policy 2008</i> are met; and</li> <li>(b) the air quality objectives in the <i>Environmental Protection (Air) Policy 2008</i>,</li> </ul>	<b>N/A:</b> The site is located within the Rural Zone.

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Performance outcomes	Acceptable outcomes	Compliance summary
	<p>are met through the use of measures such as:</p> <ul style="list-style-type: none"> <li>(i) landscaping and open space;</li> <li>(ii) setbacks;</li> <li>(iii) the orientation of lots away from the industrial area;</li> <li>(iv) barriers, mounds and fencing; and/or</li> <li>(v) screening.</li> </ul>	
<b>Safety and security</b>		
<p>PO<sub>36</sub> The reconfiguration discourages crime, vandalism and anti-social behaviour and facilitates:</p> <ul style="list-style-type: none"> <li>(a) personal and property security;</li> <li>(b) casual surveillance of footpaths and parkland; and</li> <li>(c) activity and interaction within public spaces and movement networks.</li> </ul>	<p>AO<sub>36.1</sub> The reconfiguration is designed in accordance with <i>Crime Prevention Through Environmental Design (CPTED) Guidelines for Queensland</i>.</p>	<p><b>Complies:</b> The proposed development has been designed to incorporate CPTED Principles where possible.</p>
<b>Natural values</b>		
<p>PO<sub>37</sub> Development is provided with an adequate water supply for firefighting purposes that is safely located and freely accessible.</p>	<p>AO<sub>37.1</sub> Development within a water supply area involving the creation of new lot/s is connected to council's reticulated water supply system and a water supply outlet located within a road reserve is within 40M of the following:</p>	<p><b>N/A:</b> The site is not located within a water supply area.</p>

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	(a) all of the land; or (b) a building envelope designated on each lot; or (c) the centre of each lot, excluding access handles (where no building envelope is designated); and (d) all existing or proposed buildings.	
PO <sub>38</sub> The reconfiguration provides for lot sizes and titling arrangements that ensure areas of ecological significance remain intact as part of common property or within large lots.	No acceptable outcome is nominated.	<b>Complies:</b> The proposed lots ensure that Areas of Ecological Significance are not adversely affected as a result of the proposed development. Refer to the Ecological Assessment Report attached at <b>Appendix E.</b>
PO <sub>39</sub> The layout of roads, driveways and other infrastructure avoids crossing or otherwise fragmenting waterways, wetlands, habitat areas or ecological corridors.	No acceptable outcome is nominated.	<b>N/A:</b> The proposed development does not involve the construction of roads, driveways or other infrastructure.
<b>Climatic response</b>		
PO <sub>40</sub> The street, lot orientation and lot size facilitate buildings that conserve non-renewable energy sources through climate-responsive siting and design.	<i>In partial compliance with the performance outcome:</i> AO <sub>40.1</sub> Neighbourhoods are generally designed so that: (a) the long axis of roads runs east-west; (b) the number of wide lots (lots with a width greater than 15m) is minimised on streets running north-south; and (c) lots are generally rectangular in shape and not splayed.  AO <sub>40.2</sub> Where they are proposed, built-to-boundary walls are located on the west-southwest boundary of lots except where these boundaries are on the higher side of a sloping lot.	<b>N/A:</b> The proposed development is for a 2 into 2 Lot Boundary Realignment in a rural area.

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Performance outcomes	Acceptable outcomes	Compliance summary
<b>Services</b>		
PO <sub>41</sub> Services, including water supply, stormwater management, sewage disposal, waste disposal, drainage, electricity and telecommunications, are provided in a manner that: <ul style="list-style-type: none"> <li>(a) is efficient;</li> <li>(b) minimises risk of adverse environmental or amenity related impacts;</li> <li>(c) promotes total water cycle management and the efficient use of water resources; and</li> <li>(d) minimises whole of life cycle costs for that infrastructure.</li> </ul>	No acceptable outcome is nominated.	<b>Complies:</b> The proposed lots will retain existing connection to electricity and telecommunications infrastructure.
<b>Noise Impacts</b>		
PO <sub>42</sub> Lots are of a suitable size and dimensions to facilitate adequate noise management.	AO <sub>42.1</sub> Lots near a rail corridor or a regional arterial, sub-arterial or distributor roads are of sufficient size and depth to ensure that future dwellings are not exposed to road or rail noise greater than 63dB <i>L<sub>A10(18hr)</sub></i> .  AO <sub>42.2</sub> Where it is not practical to achieve the required noise levels through lot layout and design, noise attenuation barriers are utilised to achieve the required noise levels.	<b>Complies:</b> The proposed lots are of a sufficient size that ensures current and future dwellings will not be exposed to excessive road noise.  <b>N/A:</b> Refer to response to AO <sub>42.1</sub> .
PO <sub>43</sub> Noise attenuation measures: <ul style="list-style-type: none"> <li>(a) are compatible with the local streetscape;</li> <li>(b) minimise whole of life cycle costs where they are to be located on or adjacent to public land or common property; and</li> </ul>	No acceptable outcome is nominated.	<b>N/A:</b> The proposed development is not of a nature that warrants noise attenuation measures.

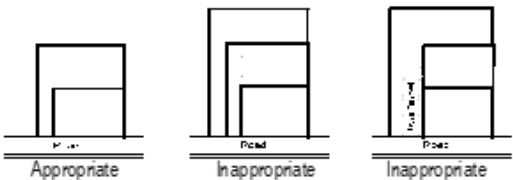
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Performance outcomes	Acceptable outcomes	Compliance summary
(c) are designed to discourage crime and anti-social behaviour, having regard to: <ul style="list-style-type: none"> <li>(i) aesthetic quality and compatibility with streetscape;</li> <li>(ii) physical accessibility;</li> <li>(iii) provision of casual surveillance of public open space and movement networks;</li> <li>(iv) opportunities for concealments or vandalism; and</li> <li>(v) easy and economic maintenance.</li> </ul>		
<b>Air Quality</b>		
PO <sub>44</sub> Reconfiguration does not result in lots intended for accommodation activities or sensitive land uses being subject to adverse air quality or impacts.	No acceptable outcome is nominated.	<b>N/A:</b> The proposed lots are not within proximity to a use that could result in adverse air quality impacts.
<b>Additional requirements for volumetric subdivision</b>		
PO <sub>45</sub> The reconfiguration of the space above or below the surface of the land facilitates appropriate development in accordance with the intent of the zone or precinct in which the land is located or is consistent with a lawful approval that has not lapsed.	No acceptable outcome is nominated.	<b>N/A:</b> The proposed development does not involve a volumetric subdivision.
<b>Hatchet Lots</b>		
PO <sub>46</sub> Lot reconfigurations only create hatchet lots as a means of increasing residential densities in within: <ul style="list-style-type: none"> <li>(a) Walking catchments around centres offering a broad range of goods, facilities and services (being 800m around Major and</li> </ul>	AO <sub>46.1</sub> Lot reconfigurations only create hatchet lots in the Low-medium Density Residential Zone.	<b>N/A:</b> The proposed development does not involve a hatchet lot.

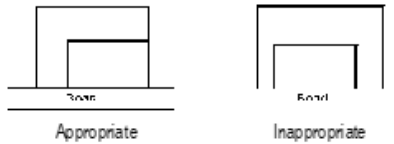
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Performance outcomes	Acceptable outcomes	Compliance summary
<p>400m around District centres and designated Local centres within the centre hierarchy);</p> <p>(b) Land that benefits visually from high quality parkland;</p> <p>(c) Walking catchments around major non-industrial employment areas (land within 800m walk of 1000 or more non-industrial jobs);</p> <p>(d) A central transport corridor bounded by Nelson, West, Jellicoe and Hume street, and</p> <p>(e) An 800m walking catchment of the University of Southern Queensland (Toowoomba campus).</p>		
<p>PO<sub>47</sub> The location and configuration of the access strip/easement and main body does not compromise:</p> <p>(a) the streetscape qualities of the area;</p> <p>(b) the residential amenity of the area; or</p> <p>(c) the Street System.</p>	<p>AO<sub>47.1</sub> Only 1 Hatchet Lot is created behind any full frontage lot as shown in Figure 1 below.</p> <p>Figure 1</p>  <p>AO<sub>47.2</sub> The access strip/easement to the Hatchet Lot is located on only 1 side of the lot with direct frontage to the street as illustrated in Figure 2 below.</p>	<p><b>N/A:</b> The proposed development does not involve a hatchet lot.</p>

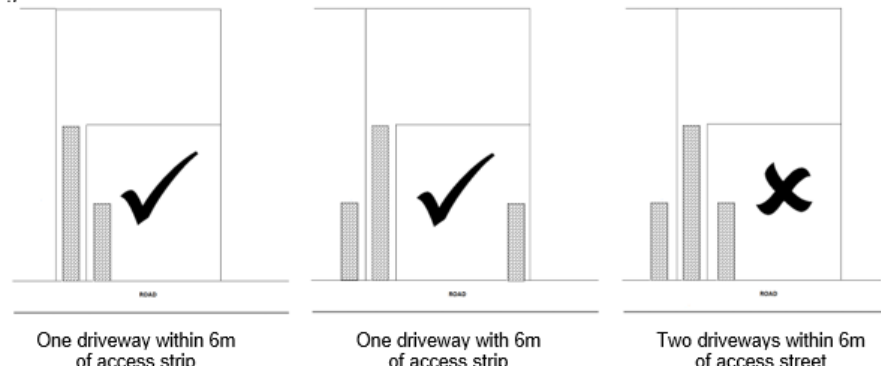
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Performance outcomes	Acceptable outcomes	Compliance summary
	<p>Figure 2</p> 	
<p>PO<sub>48</sub> The configuration of hatchet lots maintain the ability of existing buildings and structures to –</p> <ul style="list-style-type: none"> <li>(a) provide adequate daylight and ventilation to habitable rooms;</li> <li>(b) allow adequate light and ventilation to habitable rooms of buildings on adjoining lots; and</li> <li>(c) not adversely impact on the amenity and privacy of residents on adjoining lots.</li> </ul>	<p>AO<sub>48.1</sub> Where the lot reconfiguration creates a hatchet lots the new lot boundaries create setbacks to existing dwellings that comply with the minimum distances in the Queensland Development Code or relevant planning scheme code.</p>	<p><b>N/A:</b> The proposed development does not involve a hatchet lot.</p>
<p>PO<sub>49</sub> The access strip/easement:</p> <ul style="list-style-type: none"> <li>(a) has a minimum width of 6 metres for its full length;</li> <li>(b) is located on the southern or western side of the lot;</li> <li>(c) has a maximum length of 30 metres;</li> <li>(d) is located so that there is no more than one driveway serving an adjoining property within 6 metres of the access strip/easement boundary (see figure 3 below).</li> </ul>	<p>No acceptable outcome is nominated.</p>	<p><b>N/A:</b> The proposed development does not involve a hatchet lot.</p>

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Reconfiguring a Lot Code – assessment benchmarks for assessable development

Performance outcomes	Acceptable outcomes	Compliance summary
<p>Figure 3</p>  <p>One driveway within 6m of access strip</p> <p>One driveway with 6m of access strip</p> <p>Two driveways within 6m of access street</p>	<p>AO<sub>50.1</sub> The site:</p> <ul style="list-style-type: none"> <li>(a) has a natural surface with an elevation that is higher than the abutting road and enables stormwater to drain gravitationally to the abutting road via subsurface pipes; or</li> <li>(b) has a natural surface with an elevation that is higher than Council's stormwater drainage network in the abutting road and enables stormwater to drain gravitationally to the stormwater drainage network in the abutting road via subsurface pipes; or</li> <li>(c) has lawful access to an inter allotment drainage network with available capacity to meet the requirements of the development.</li> </ul>	<p><b>N/A:</b> The proposed development does not involve a hatchet lot.</p>
<p>PO<sub>50</sub> Stormwater is discharged from the site to a lawful point of discharge, as defined in the Queensland Urban Drainage Manual (QUDM), without the use of pumped or charged pipe systems, and not to private land other than to an easement for stormwater purposes befitting the site and allowing discharge to a lawful point of discharge in land over which Council has tenure or control.</p> <p>Note: Land over which Council has tenure or control does not include Council's open space network.</p>		

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**Reconfiguring a Lot Code – assessment benchmarks for assessable development**

Performance outcomes	Acceptable outcomes	Compliance summary
<b>Reconfigurations creating lots less than 450m<sup>2</sup> in area in a residential zone</b>		
<p>PO<sub>51</sub> Lot reconfigurations creating lots less than 450m<sup>2</sup> and at least 20 new lots, facilitate the orderly, neighbourly, integrated and timely development of those lots through a Plan of Development.</p> <p>Note:  <i>Orderly</i> neatly and methodically arranged.  <i>Neighbourly</i> exhibiting the qualities expected in a friendly neighbour.  <i>Integrated</i> combining or coordinating separate elements so as to provide a harmonious, interrelated whole  <i>Timely</i> done or occurring at a favourable or useful time.</p>	<p>AO<sub>51.1</sub> Lot reconfigurations creating lots less than 450m<sup>2</sup> incorporate an Approved Plan of Development prepared by a suitably qualified professional(s) that sets development standards that comply with the performance outcomes within the Small Lot Housing Design Code and which includes, but is not limited to, the location of the following:</p> <ul style="list-style-type: none"> <li>(a) the lot layout and streets, including lot numbers, lot areas, street reserve widths, street or road carriageways (may include bus stops, taxi ranks, loading zones and similar service areas where proposed), and location and width of footpaths;</li> <li>(b) land slope and major infrastructure items;</li> <li>(c) primary and secondary street frontages (if necessary);</li> <li>(d) public open space areas, including lot number and area;</li> <li>(e) built-to-boundary wall locations (including mandatory built-to-boundary situations);</li> <li>(f) where privacy fencing is required at an interface with a street or park; fencing and, if sloping land, retaining wall details;</li> <li>(g) for lots under 450m<sup>2</sup>: <ul style="list-style-type: none"> <li>(i) location, areas and dimensions of private open space;</li> <li>(ii) building envelopes indicating minimum setbacks, access points, and heights; and</li> <li>(iii) driveway crossovers</li> </ul> </li> </ul>	<p><b>N/A:</b> The proposed development does not involve the creation of a lot with an area less than 450m<sup>2</sup>.</p>


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**Reconfiguring a Lot Code – assessment benchmarks for assessable development**

Performance outcomes	Acceptable outcomes	Compliance summary										
<p>PO<sub>52</sub> The lots are located on a road that is appropriate to accommodate small lots.</p>	<p>AO<sub>52.1</sub> Small lots are located in accordance with the following table:</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th style="text-align: center;">Proposed lot width</th> <th style="text-align: center;">Vehicle Access Location</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Lot width &lt;10m</td> <td style="text-align: center;">Laneway, Local or collector roads only</td> </tr> <tr> <td style="text-align: center;">Lot width 10 – 12.4m</td> <td style="text-align: center;">Laneway, Local or collector roads only</td> </tr> <tr> <td style="text-align: center;">Lot width 12.5 – 14.9m</td> <td style="text-align: center;">Laneway, Local, collector or distributor roads only</td> </tr> <tr> <td style="text-align: center;">Lot width &gt;15m</td> <td style="text-align: center;">Laneway, Local, collector, distributor or sub-arterial roads only</td> </tr> </tbody> </table> <p><b>Note:</b> Direct access is not typically available to sub-arterial roads and limited to distributor roads (see PSP No.2 Sc6.2.2.2).</p>	Proposed lot width	Vehicle Access Location	Lot width <10m	Laneway, Local or collector roads only	Lot width 10 – 12.4m	Laneway, Local or collector roads only	Lot width 12.5 – 14.9m	Laneway, Local, collector or distributor roads only	Lot width >15m	Laneway, Local, collector, distributor or sub-arterial roads only	<p><b>N/A:</b> The proposed development does not involve the creation of a lot with an area less than 450m<sup>2</sup>.</p>
Proposed lot width	Vehicle Access Location											
Lot width <10m	Laneway, Local or collector roads only											
Lot width 10 – 12.4m	Laneway, Local or collector roads only											
Lot width 12.5 – 14.9m	Laneway, Local, collector or distributor roads only											
Lot width >15m	Laneway, Local, collector, distributor or sub-arterial roads only											
<p>PO<sub>53</sub> Small lots are located so as to minimise the need to cut and fill the land.</p>	<p>AO<sub>53.1</sub> Small lots are located on land with a pre-development gradient of less than 10%;</p>	<p><b>N/A:</b> The proposed development does not involve the creation of a lot with an area less than 450m<sup>2</sup>.</p>										
<p>PO<sub>54</sub> Development provides a frequency of standard and small lots which are varied to facilitate housing variety.</p>	<p>AO<sub>54.1</sub> There are no more than six (6) contiguous small lots along a street frontage, with groups of two (2) or more small lots separated by at least two (2) standard lots.</p>	<p><b>N/A:</b> The proposed development does not involve the creation of a lot with an area less than 450m<sup>2</sup>.</p>										
<b>Reconfigurations facilitating Dual Occupancy development</b>												
<p>PO<sub>55</sub> Lot reconfigurations within the Low Density Residential Zone, Low-medium Density Residential Zone, Emerging Community Zone and Township Zone facilitate the integration of</p>	<p>AO<sub>55.1</sub> Lot reconfigurations designate lots for Dual Occupancy development;</p>	<p><b>N/A:</b> The proposed development does not involve the creation of a lot intended to facilitate Dual Occupancy development.</p>										

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Reconfiguring a Lot Code – assessment benchmarks for assessable development

Performance outcomes	Acceptable outcomes	Compliance summary
<p>Dual Occupancy development into residential neighbourhoods in a manner that is dispersed and does not result in Dual Occupancy becoming the dominant form of housing within a street.</p>	<p>AO<sub>55.2</sub> No more than 20 percent of the properties within a street block are designated for Dual Occupancy development.</p> <p>AO<sub>55.3</sub> No more than three (3) adjoining properties within a street block are designated for Dual Occupancy development.</p> <p>AO<sub>55.4</sub> Hatchet lots are not designated as Dual Occupancy lots.</p> <p>See Figure 4</p>  <p>Each red line in this figure is an example of the extent of a street block.</p> <p>No more than 20 percent of properties within the street block are designated for dual occupancy development.</p>	

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**Reconfiguring a Lot Code – assessment benchmarks for assessable development**

Performance outcomes	Acceptable outcomes	Compliance summary
	Figure 4	
PO <sub>56</sub> Lots designated for Dual Occupancy development by lot reconfigurations within the Low Density Residential Zone, Low-medium Density Residential Zone, Emerging Community Zone and Township Zone have an area, shape and dimensions suitable to accommodate their intended use.	AO <sub>56.1</sub> Lots designated for Dual Occupancy development: <ul style="list-style-type: none"> <li>(a) have a minimum area of 500m<sup>2</sup> where in the Low-medium Density Residential Zone; or</li> <li>(b) have a minimum area of 700m<sup>2</sup> where in the Low Density Residential Zone, Emerging Community Zone or Township Zone; and</li> <li>(c) are rectilinear in shape; and</li> <li>(d) have a frontage that is consistent with the minimum frontage required for the applicable zone.</li> </ul>	<b>N/A:</b> The proposed development does not involve the creation of a lot intended to facilitate Dual Occupancy development.

## APPENDIX C - PROPOSAL PLANS

*Define Group*

**APPENDIX D - BUSHFIRE MANAGEMENT REPORT**  
*Range Environmental Consultants*

**APPENDIX E - ECOLOGICAL ASSESSMENT REPORT**  
*Range Environmental Consultants*